



London
CANADA

COUNCIL MINUTES 7TH MEETING

April 10 and 11, 2012

The Council meets in Regular Session in the Council Chambers this day at 5:00 PM.

PRESENT: Mayor J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White and C. Saunders (City Clerk).

ALSO PRESENT: T.L. Dobbie, J. Braam, R.L. Fair, M. Hayward, W. Abbot, J.P. Barber, G. Belch, J. Edward, J.M. Fleming, E. Gamble, G.T. Hopcroft, J. Kobarda, G. Kotsifas, B. Kritchker, J. Logan, S. Maguire, V. McAlea Major, D. Mounteer, L.M. Rowe, R. Sharpe, M. Turner, B. Warner, R. Welker and B. Westlake-Power.

At the beginning of the Meeting all Members are present except Councillor Swan.

Councillor Swan enters the meeting at 5:01 PM.

I RECOGNITIONS

1. Penn Kemp, London's first ever Poet Laureate, performs a poem.
2. Mr. T. Partalas, of the BMO Centre, extends appreciation to the Municipal Council for its support of the BMO Centre.
3. At 6:40 PM His Worship the Mayor and Members of Council welcome and recognize the following representatives of the Students' Councils from Western University, Huron University College, Brescia University College, King's University College, Society of Graduate Students and Fanshawe College, as well as the community contributions made by students attending London's post-secondary educational institutions: Andrew Forgione, President, and Adam Fernal, President-Elect (University Students' Council, Western University), Giampiero De Pasquale, President and Vivek Prabhu, President-Elect (Huron University College Students' Council), Meagan Zettler, President and Jazmyn Jansen, President-Elect (Brescia University College Students' Council), Barshan Quadry, President and David Ennett, President-Elect (King's University College Students' Council), Saidur Chowdhury, President and Christopher Shirreff, President-Elect (Society of Graduate Students, Western University) and Veronica Barahona, President and Zach Dodge, President-Elect (Fanshawe Student Union).
4. The Municipal Council holds a moment of silence in recognition of the passing of Eric Townsend, President, CUPE Local 107, and extends its condolences to Mr. Townsend's family.

II DISCLOSURES OF PECUNIARY INTEREST

Councillor N. Branscome discloses a pecuniary interest in clause 16 of the 11th Report of the Finance and Administrative Services Committee, having to do with a tender for the Westminster Outdoor Pool and Bathhouse Upgrades, by indicating that the proponent is currently doing a construction project for her spouse's company.

III CONFIRMATION AND SIGNING OF THE MINUTES OF THE SIXTH MEETING HELD ON MARCH 20 AND 21, 2012

Motion made by Councillor P. Van Meerbergen and seconded by Councillor B. Polhill to Approve the Minutes of the Sixth Meeting held on March 20 and 21, 2012.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

IV REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

V COMMUNICATIONS AND PETITIONS

Motion made by Councillor P. Van Meerbergen and seconded by Councillor D. Brown to Approve that Council rise and convene as the Approval Authority at 5:24 PM pursuant to the provisions of the *Expropriations Act*, R.S.O. 1990, c. E. 26, as amended, for the purpose of considering Communication 1 from the Managing Director – Corporate Assets, dealing with the proposed expropriation of lands for the Southdale Road West Road Widening Project, between Wharncliffe Road South and Wonderland Road South.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

1. Managing Director - Corporate Assets - Expropriation of Lands - Southdale Road West Road Widening Project - Wharncliffe Road South to Wonderland Road South

Motion made by Councillor H.L. Usher and seconded by Councillor D. Brown that, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager Realty Services, with respect to the expropriation of lands for the Southdale Road West Road Widening Project between Wharncliffe Road South and Wonderland Road South, the following actions be taken:

- a) The Council of The Corporation of the City of London, as approving authority pursuant to the *Expropriations Act*, R.S.O. 1990, c. E.26, as amended, HEREBY APPROVES the proposed expropriation of land on Southdale Road West, as described in Appendix "A" attached hereto, in the City of London, County of Middlesex, it being pointed out that the reasons for making this decision are as follows:
 - i) the subject lands are required by The Corporation of the City of London for the reconstruction and widening of Southdale Road West between Wharncliffe Road South and Wonderland Road South;
 - ii) the design of the road improvements will address existing and future traffic needs and facilitate safe and efficient movement of traffic; and
 - iii) the design is in accordance with the Environmental Assessment Study for the Southdale Road West Widening Project accepted by Council on October 26, 2009;
- b) a certificate of approval BE ISSUED in the prescribed form; and
- c) it BE NOTED that no request for a Hearing of Necessity was received from any property owner for property that is required for the project.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Approve that the Approval Authority adjourn and reconvene as the Municipal Council.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

The Municipal Council reconvenes at 5:30 PM.

Motion made by Councillor B. Polhill and seconded by Councillor J.B. Swan that, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager Realty Services, with respect to the expropriation of lands for the Southdale Road West Road Widening Project between Wharncliffe Road South and Wonderland Road South, the following actions be taken:

- a) The Council of The Corporation of the City of London, as approving authority pursuant to the *Expropriations Act, R.S.O. 1990, c. E.26*, as amended, HEREBY APPROVES the proposed expropriation of land on Southdale Road West, as described in Appendix "A" attached hereto, in the City of London, County of Middlesex, it being pointed out that the reasons for making this decision are as follows:
 - i) the subject lands are required by The Corporation of the City of London for the reconstruction and widening of Southdale Road West between Wharncliffe Road South and Wonderland Road South;
 - ii) the design of the road improvements will address existing and future traffic needs and facilitate safe and efficient movement of traffic; and
 - iii) the design is in accordance with the Environmental Assessment Study for the Southdale Road West Widening Project accepted by Council on October 26, 2009;
- b) a certificate of approval BE ISSUED in the prescribed form; and
- c) it BE NOTED that no request for a Hearing of Necessity was received from any property owner for property that is required for the project.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

2. Managing Director - Corporate Assets - Expropriation of Lands - Southdale Road West Road Widening Project - Wharncliffe Road South to Wonderland Road South

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve that, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager Realty Services, with respect to the approval by the Council of The Corporation of the City of London, as approving authority of the proposed expropriation of lands for the Southdale Road West Road Widening Project between Wharncliffe Road South and Wonderland Road South, the following actions be taken:

- a) the proposed expropriation by-law attached as Appendix 'B' BE INTRODUCED at the Municipal Council meeting on April 10, 2012, by The Corporation of the City of London as expropriating authority, with respect to the lands described in Appendix 'A' attached hereto;
- b) the Civic Administration BE AUTHORIZED AND DIRECTED to prepare a plan or plans showing the lands to be expropriated for registration in the appropriate registry, or land titles office, pursuant to the Expropriations Act; and
- c) the Civic Administration BE AUTHORIZED AND DIRECTED to execute and serve the notice of expropriation required by the Expropriations Act and such notices of possession that may be required to obtain possession of the expropriated lands.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

3. A. Oudshoorn, M. McAlpine, B. Gibson, N. Soave, S. Levin, K. Labonte and S. Quigley - Properties Located at 73, 77, 81 and 91 Southdale Road East (OZ-7943) (Refer to the Planning and Environment Committee Stage for Consideration with Clause 23 of the 8th Report of the Planning and Environment Committee.)

Motion made by Councillor D. Brown and seconded by Councillor S. Orser to Receive the communication dated April 4, 2012 from A. Oudshoorn, M. McAlpine, B. Gibson, N. Soave, S. Levin, K. Labonte and S. Quigley regarding Clause 23 of the 8th Report of the Planning and Environment Committee, pertaining to Properties Located at 73, 77, 81 and 91 Southdale Road East (OZ-7943), for information.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

VI MOTIONS OF WHICH NOTICE IS GIVEN

None.

VII ADDED REPORTS

1. 9th Report of the Planning and Environment Committee

VIII REPORTS

8th Report of the Planning and Environment Committee

Councillor B. Polhill presents.

Motion made by Councillor B. Polhill to Approve clauses 1 to 4.

1. Disclosures of Pecuniary Interest

No pecuniary interests are disclosed.

2. 3rd and 4th Reports of the Advisory Committee on the Environment

That the following actions be taken with respect to the 3rd and 4th Reports of the Advisory Committee on the Environment from their meetings held on February 1, 2012 and March 7, 2012:

- a) the Civic Administration BE REQUESTED to provide the Advisory Committee on the Environment (ACE) with continued updates with respect to the Highbury Planning Initiative; it being noted the ACE reviewed and received the status report and an updated report will be presented at its March meeting;
- b) that clauses 2 through 5, inclusive, of the 3rd Report of the ACE, BE RECEIVED; and,
- c) that clauses 1 through 8, inclusive, of the 4th Report of the ACE, BE RECEIVED.

3. 3rd and 4th Reports of the Environmental and Ecological Planning Advisory Committee

That the following actions be taken with respect to the 3rd and 4th Reports of the Environmental and Ecological Planning Advisory Committee (EEPAC) from their meetings held on February 16, 2012 and March 15, 2012:

- a) that clauses 1 through 8, inclusive, of the 3rd Report of the EEPAC, BE RECEIVED; and,
- b) that clauses 1 through 9, inclusive, of the 4th Report of the EEPAC, BE RECEIVED.

4. Hyde Park Road Commercial Review Official Plan and Zoning Review - 1331-1369 and 1364-1420 Hyde Park Road

That, notwithstanding the recommendation of the Director of Land Use Planning and City Planner, the request to amend the Official Plan land use designation and Zoning By-law for lands located at 1331-1369 and 1364-1420 Hyde Park Road BE REFERRED to the April 16, 2012 Planning and Environment Committee (PEC) meeting to permit an opportunity for the Hyde Park Community Association, the Civic Administration and the applicant to further discuss the proposal and to report back to the PEC with the results of the discussion. (2012-D11-04/D26-03)

The motion to Approve clauses 1 to 4 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

Motion made by Councillor B. Polhill to approve clauses 5 to 10.

5. Properties located at 1235, 1237, 1245, 1247 and 1253 Richmond Street (Z-7856)

That, the decision of the Ontario Municipal Board relating to the appeals submitted by David Langill (on behalf of W.B.H. Somerset, London Inc.), Brad Bain (on behalf of Linda Brand), and John McNair (on behalf of Timbercreek Asset Management Inc and Homestead Land Holdings Ltd), relating to an application for an amendment to the Zoning By-law No. Z.-1, which was passed by the Municipal Council, respecting properties located at 1235, 1237, 1245, 1247, and 1253 Richmond Street, BE RECEIVED. (2012-D11-08)

6. London Psychiatric Hospital Secondary Plan - Notice of Appeal to the Ontario Municipal Board (O-7668)

That, on the recommendation of the Director, Land Use Planning and City Planner, the appeal to the Ontario Municipal Board, submitted by Robert Malpass, President of the Fairmont Lawn Bowling Club, on behalf of the Fairmont Lawn Bowling Club, relating to Official Plan Application No. O-7668 respecting the London Psychiatric Hospital Secondary Plan described as 840 and 850 Highbury Avenue North and 1414 and 1340 Dundas Street and lands without municipal address east of 850 Highbury Avenue North and bounded by the Canadian Pacific and Canadian National Railways, BE RECEIVED. (2012-D11-05)

7. Candidate Approval for the Urban Design Peer Review Panel

That, on the recommendation of the Director of Land Use Planning and City Planner, the following candidates BE APPROVED for the positions listed below on the Urban Design Peer Review Panel:

- a) Mike Barker – Landscape Architect;
- b) Gerald Gallacher – Architect; and,
- c) Michael McLean – Architect. (2012-G03-00)

8. Property located at 280 Callaway Drive (H-7977)

That, on the recommendation of the Senior Planner, Development Services Planning, based on the application of Domus Developments (London) Inc. relating to the property located at 280 Callaway Drive, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the 280 Callaway Drive FROM a Holding Residential R4/R6 Special Provision (h-5 h-99 h-100 R4-3/R6-5(23)) Zone TO a Residential R4/R6 Special Provision (R4-3/R6-5(23)) Zone, to remove the h-5, h-99 and h-100 holding provisions from these lands. (2012-D11-07)

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

9. Annual Report on Building Permit Fees

That, on the recommendation of the Director of Building Controls, the report dated March 26, 2012, relating to 2011 building permit fees collected and the costs of the administration and enforcement of the Building Code Act and regulations, BE RECEIVED; it being noted that the Civic Administration will report to the Planning and Environment Committee in the Spring of 2012 regarding building permit fees and any adjustments that may be warranted. (2012-D06-00)

10. Hickory Heights Subdivision (39T-06510)

That, on the recommendation of the Senior Planner, Development Services Planning, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Drewlo Holdings Inc., for the subdivisions of land, over Part of Lot 21, Registrar's Compiled Plan No. 1028, (Geographic Township of London), City of London, County of Middlesex, situated on the east side of Wonderland Road North, north of Fanshawe Park Road West, municipally referred to as 1812 Wonderland Road North:

- a) the attached, revised, Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and Drewlo Holdings Inc. for the Hickory Heights Subdivision (39T-06510) BE APPROVED;
- b) the financing for this project BE APPROVED in accordance with the "Sources of Financing Report" provided as Appendix 'A' to the associated staff report, dated March 26, 2012;
- c) the Mayor and the City Clerk BE AUTHORIZED to execute the subject Subdivision Agreement, any amending agreements and all documents required to fulfill its conditions; and,
- d) the financing for the project BE APPROVED in accordance with the "Estimated Claims and Revenues Report" provided as Appendix 'B' to the associated staff report, dated March 26, 2012. (2012-D26-02)

The motion to Approve clauses 5 to 10 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

Motion made by Councillor B. Polhill to Approve clauses 11 to 14.

11. Portion of 530 Sunningdale Road East - Phase Two of Uplands North Subdivision (H-8025)

That, on the recommendation of the Senior Planner, Development Services Planning, based on the application of 2047790 Ontario Ltd (Z Group) relating to a portion of the property located at 530 Sunningdale Road East, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 (h.R1-2) Zone; a holding Residential R1 (h.R1-3) Zone; and a holding R1 Special Provision (h.R1-3(7)) Zone TO a Residential R1 (R1-2) Zone; a Residential R1 (R1-3) Zone; and Residential R1 Special Provision (R1-3(7)) Zone to remove the "h" holding provision. (2012-D26-06)

12. 4th Report of the London Advisory Committee on Heritage

That the following actions be taken with respect to the 4th Report of the London Advisory Committee on Heritage from its meeting held on March 14, 2012:

- a) Stewardship Sub-Committee meeting on February 29, 2012:
 - i) the Heritage Planner BE ASKED to forward the attached Statement of Significance, for the property located at 498 Dufferin Avenue, to the owner for signature;
 - ii) a London Built Heritage Resources Evaluation BE COMPLETED for the application submitted by Romlex International Inc. for the property located at 203 Sherwood Avenue; and,
 - iii) the listed property located at 1451 Wharncliffe Road South BE EXAMINED as it is in a state of significant deterioration;
- b) the Heritage Alteration Permit application of D. Russell, requesting permission for alterations to the exterior doors and windows to the designated heritage property located at 531 Colborne Street BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed changes and has advised that the impact of such alteration on the heritage features of the property, identified in the Reasons for Designation is negligible;
- c) the Heritage Alteration Permit application of A. Mitchell & A. Schneider, requesting permission for a roof alteration to the designated heritage property located at 845 Dufferin Avenue BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed changes and has advised that the impact of such alteration on the heritage features of the property identified in the Reasons for Designation is negligible; it being also noted that the London Advisory Committee on Heritage heard verbal presentations from A. Mitchell and A. Schneider, with respect to this matter;
- d) the Civic Administration BE ADVISED that the London Advisory Committee on Heritage (LACH) supports the Downtown Heritage Conservation District Plan; it being noted that the LACH received the Downtown London Heritage Conservation District Plan, March 2012, and heard a verbal presentation from C. Parker, Senior Planner, with respect to this matter;
- e) 1576 Richmond Street North:
 - i) the residence located at 1576 Richmond Street North BE ADDED to the Inventory of Heritage Resources, as a Priority 1 listing;
 - ii) the Heritage Planner BE ASKED to advise the property owner of the addition of the property on the Inventory of Heritage Resources; and,
 - iii) the communication, dated March 23, 2012 from M. Doornsbosch, Zelinka Priamo Ltd. BE RECEIVED; and,
- f) that clauses 6 through 18, inclusive, BE RECEIVED;

it being noted that the Planning and Environment Committee heard a verbal presentation from Joe O'Neil, Acting Chair, LACH, with respect to these matters.

13. 2nd Report of the Trees and Forests Advisory Committee

That the following actions be taken with respect to the 2nd Report of the Trees and Forests Advisory Committee (TFAC) from its meeting held on February 22, 2012:

- a) Forestry Services Strategic Review Recommendations Timetable – January, 2012:
 - i) the Division Manager of Transportation and Roadside Operations BE INVITED to a future meeting of the Trees and Forests Advisory Committee (TFAC) to provide an update related to the current process and information system related to the recommendations of the Forestry Services Strategic Review; and,
 - ii) the Civic Administration BE REQUESTED to review the priority of item 63 of the Forestry Services Strategic Review recommendations timetable, which states, "Management should conduct a financial analysis to determine the adequacy of the annual budget amount received from London Hydro", to be accomplished as soon as possible, recognizing there is a potential income source for the tree

programs;

it being noted that the TFAC reviewed and received a communication, dated January 2012, and heard a verbal delegation from I. Listar, Manager, Urban Forestry, with respect to this matter;

b) Heritage Trees:

- i) the Civic Administration BE REQUESTED to consider the development of a Heritage Tree Program in its 2013 Work Plan, and submit a business case, if necessary, to the 2013 Budget to support the Work Plan;
- ii) in addition to part i) above, the Civic Administration BE REQUESTED to consider the start of a Heritage Tree Program using simple and low cost methods with assistance from the Trees and Forests Advisory Committee (TFAC);
- iii) the protection of heritage trees BE CONSIDERED in the current Official Plan Review process; and,
- iv) the above-noted report BE REFERRED to the London Advisory Committee on Heritage, for additional consideration;

it being noted that the TFAC heard a verbal report from S. Rowland, Urban Forestry Planner, with respect to this matter; and,

c) that clauses 3 through 6, inclusive, BE RECEIVED;

it being noted that the Planning and Environment Committee heard a verbal presentation from Bill Gilmore, Chair, TFAC, with respect to these matters.

14. Property located at 940 Springbank Drive

That, the following actions be taken with respect to the site plan approval application of Ayerswood Development Corp. relating to the property located at 940 Springbank Drive:

- a) a special public participation meeting of the Planning and Environment Committee BE HELD on Tuesday, April 24, 2012 at 7:00 p.m.; and,
- b) the Civic Administration BE DIRECTED to provide the following:
 - standard site plan approval clauses;
 - any exceptions that have been made; and,
 - at which stage of the process the exemptions were made;

it being noted that the Planning and Environment Committee received communications, dated February 21 and March 26, 2102, from A.R. Patton, Patton Cormier and Associates, with respect to this matter. (2012-D25-00)

Motion made by Councillor J.L. Baechler and seconded by Councillor J.B. Swan to Amend clause 14 by adding at the end of part a) the words “, with the Civic Administration to make every reasonable effort to give notice to members of the public who have spoken or made written submissions at previous public participation meetings regarding this matter,” and by adding a fourth bullet point in part b) to read “any other outstanding information which has previously been requested;”.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (14)

NAYS: S. Orser (1)

The motion to Approve clauses 11 to 14, as amended is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

Motion made by Councillor B. Polhill to Approve clauses 15 to 20.

15. Wickerson Heights Subdivision - Assumption Status (33M-514)

That the communication dated February 29, 2012 from J. Sennema, Z Group, with respect to the Wickerson Heights subdivision (33M-514) assumption status being held in abeyance BE REFERRED to the Civic Administration for consideration. (2012-D26-06)

16. Property located at 806 Victoria Street

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the site plan approval application of the Diocese of London relating to the property located at 806 Victoria Street:

- a) the Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the site plan approval application for the construction of 274 crypts, including one storage room;
- b) the Approval Authority BE ADVISED that the Municipal Council supports the approval of the attached Site Plan, Landscape Plan and Elevations; and,
- c) the financing for the project BE APPROVED in accordance with the "Claims and Revenues Report" provided as Schedule "A" to the associated staff report, dated March 26, 2012. (2012-D25-00)

17. Property located at 844 Wonderland Road South (Z-8012)

That, on the recommendation of the Director of Land Use Planning and City Planner, based on the application of Khawar Hanif relating to the property located at 844 Wonderland Road South, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April, 10, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Restricted Office/Convenience Commercial (RO1/CC) Zone, which permits medical/dental offices, offices, convenience service establishments without a drive-through facility, convenience stores without a drive-through facility, financial institutions without a drive-through facility, and personal service establishments without a drive-through facility TO a Restricted Office/Convenience Commercial Special Provision (RO1/CC()) Zone, which allows for the above uses and a pharmacy use without a drive through, and which prohibits a methadone clinic and methadone dispensary use; it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2012-D11-04)

18. Property located at 681 Highbury Avenue North (Z-8001)

That, on the recommendation of the Director of Land Use Planning and City Planner, based on the application of Angela and Dino Ciccone relating to the property located at 681 Highbury Avenue North, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Highway Service Commercial (HS) Zone, which permits animal hospitals; automotive uses, restricted; convenience stores; duplicating shops; financial institutions; personal service establishments; restaurants; video rental establishments; and brewing on premises establishments TO a Highway Service Commercial Special Provision (HS()) Zone, to permit a retail fishing supply and service store as an additional permitted use; it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2012-D11-02)

19. Property located at 1671 Fanshawe Park Road West (TZ-8010)

That, on the recommendation of the Director of Land Use Planning and City Planner, based on the application of Organic Choice Bagging Company relating to the property located at 1671

Fanshawe Park Road West, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to extend the existing temporary use zone for the rear portion of the subject site, for a period of not more than three years from the date of the passing of the by-law, for an outdoor self storage area in conjunction with a self-storage establishment; it being noted that the proposed outdoor self-storage area for the rear of the lands is to be permitted in conjunction with the proposed self-storage establishment for the front of the lands, and is all subject to site plan approval;

it being pointed out that at the public participation meeting associated with this matter, the following individual made an oral submission in connection therewith:

- Kristina White, 828 Commissioners Road West – expressing support for the recommendation. (2012-D11-06)

20. Property located at 580 Fanshawe Park Road East

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the site plan approval application of 1830150 Ontario Limited relating to the property located at 580 Fanshawe Park Road East:

- a) the Approval Authority BE ADVISED that at the public participation meeting of the Planning and Environment Committee with respect to the site plan approval application to permit the construction of a one-storey, 566.15 m², multi-unit commercial building with a drive-through, issues were raised with respect to the safety of pedestrians walking on the sidewalk on Fanshawe Park Road East and the potential intersection of traffic entering or exiting the two adjacent drive-throughs;
- b) the Approval Authority BE ADVISED that the Municipal Council supports the approval of the attached, revised, Site Plan for a one-storey, 566.15m², multi-unit commercial building with a drive-through; and,
- c) the financing for the project BE APPROVED in accordance with the "Claims and Revenues Report" provided as Schedule "A" to the associated staff report, dated March 26, 2012;

it being pointed out that at the public participation meeting associated with this matter, the following individuals made oral submissions in connection therewith:

- Ali Soufan, York Developments, applicant – advising that he submitted a revised plan to the Civic Administration earlier today; advising that four of the five items that were raised have been addressed; indicating that the building envelope reduction cannot be done; advising that a pedestrian walkway has been added due north from the main spine; indicating that the bike rack has been moved from the rear of the building to the front of the building; advising that the proposed tenants have a standard template that fits their equipment and seating; advising that he has closed the direct access onto Fanshawe Park Road so that the current access that exists today is the only access; and advising that there is sufficient site distance between the two drive-throughs.
- Charles Scollard, #32–567 Fanshawe Park Road East, President, Condominium Corporation – advising that he expressed the concerns of the Condominium Corporation to the Built and Natural Environment Committee in September, 2011; advising that they have serious safety concerns; advising that not all issues have been addressed; advising that there are two properties adjacent to each other with drive-throughs and both have the same peak times; advising that one line of cars exiting one drive-through will be intersecting the line of cars from the other drive-through; advising that in one short section, there are seven entrances and/or exits onto Fanshawe Park Road East; advising that, even without the proposed development, people have to go around cars that block the sidewalk; advising that it is not unusual to be blocked several times; enquiring as to whether or not a traffic study was ever completed for the area; indicating that traffic is an issue; and advising that safety is the main concern.

Motion made by Councillor N. Branscombe and seconded by Councillor J.L. Baechler to Refer clause 20 back to the Civic Administration to complete their review and confirm that all outstanding concerns have been addressed.

Motion Failed

YEAS: W.J. Armstrong, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, J.P. Bryant (6)

NAYS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, S.E. White (9)

The motion to Approve clauses 15 to 20 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (13)

NAYS: J.L. Baechler, N. Branscombe. (2)

Motion made by Councillor B. Polhill to Approve clauses 21 to 27.

21. Property located at 1461 Huron Street (Z-8005)

That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of United Church Council of Middlesex Presbytery, relating to the property located at 1461 Huron Street:

- a) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Holding Neighbourhood Facility Special Provision (h*NF (2)) Zone, which permits a church or elementary school TO a Holding Neighbourhood Facility Special Provision/Residential R8 Bonus (h*h-5*NF (2)/R8-4*B-()) Zone, to permit the above listed uses and an apartment building, with a density of 81 units/ha (25 units) and maximum height of 13 metres (3 storeys); and,
- b) a public site plan meeting be held; it being noted that the bonusing provision would permit a density on the site of 81 units per hectare, in return for the provision of affordable housing units, in accordance with Section 12.2.2 of the Official Plan, and to ensure the following urban design features:
 - i) site the building in general alignment with property lines and prevailing setbacks of adjacent buildings;
 - ii) provide landscaping which:
 - incorporates a hard surface forecourt with fixed seating that defines the building's main entrance and corner lot location;
 - integrates stone salvaged from the demolished church;
 - defines private outdoor amenity areas with hard surfaced terraces and fence-wall privacy screens for all at-grade residential units; and,
 - minimizes the need for extensive watering;
 - iii) provide a building which:
 - clearly expresses a base, middle, and top (roof) on all elevations, predominantly using masonry materials;
 - uses variations in massing, materials, scaling and architectural features to identify the north façade and entrance as the front of the building and the south façade and entrance as a service egress; and,
 - employs ample glazing to distinguish stairwell forms from the residential units and maximize visibility for security purposes;

it being noted that site plan approval is required and the bonus provisions of the by-law will be implemented through a development agreement between the City and the applicant;

it being pointed out that at the public participation meeting associated with this matter, the following individual made an oral submission in connection therewith:

- Reverend Doug McKenzie – expressing support for the application.

22. Property located at 1285 Western Road (Southwest Portion) (OZ-7955)

That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of Brescia University College relating

to the southwest portion of the property municipally known as 1285 Western Road, on the lands immediately to the west of Brescia Lane, south of Ramsay Road:

- a) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012, to amend the Official Plan to change the designation of the subject lands FROM a Low Density Residential designation TO a Regional Facility designation to permit a limited range of institutional type uses that are directly or indirectly related to the operations of Brescia University College;
- b) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to change the zoning of the northern portion of the subject lands FROM a Residential R1 (R1-10) Zone which permits single detached dwellings TO a Holding Regional Facility Special Provision (h-()•RF()) Zone, to permit adult secondary schools; ancillary residential and/or hostels and accommodations, together with permitted uses in this zone; churches; commercial parking structures and/or lots; commercial schools; community colleges; day care centres; elementary schools; emergency care establishments; hospitals; institutional uses; libraries; nursing homes; private schools; recreational buildings; secondary schools; and, universities with a minimum west interior side yard depth of 6.0 metres, subject to a holding provision to ensure the orderly development of the lands and that development takes a form compatible with the adjacent land uses; it being noted that an agreement shall be entered into with the City of London specifying the necessary works required for the development of the subject lands, based on the submission of the following studies: lot grading plan, storm water servicing plan, landscape plan, and a site plan, as well as the requirement for sufficient securities to cover the works identified in these plans, to be provided to the satisfaction of The City of London; and,
- c) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:
 - vehicular ingress and egress access limited to Brescia Lane;
 - tree preservation;
 - retention of the existing row of mature cedars on the west side of the subject lands and enhancement by the planting of an additional row of cedars, within the 6.0 metre west interior side yard;
 - appropriate drainage patterns; and,
 - full cut-off lighting, to reduce glare to the adjacent residential properties;

it being also noted that the Planning and Environment Committee received the following communications with respect to this matter:

- a communication, dated March 20, 2012, from Professor Emeritus Arthur Jutan; and,
- a communication, dated March 22, 2012, from Mardelle and Paul Bishop, 282 Ramsay Road, et. al.;

it being pointed out that at the public participation meeting associated with this matter, the following individual made an oral submission in connection therewith:

- Sandy Levin, 59 Longbow Road – expressing support for the application.

23. Properties located at 73, 77, 81 and 91 Southdale Road East (OZ-7943)

That, notwithstanding the recommendation of the Director Land Use Planning and City Planner, the following actions be taken with respect to the application of Sean Eden relating to the property located at 73, 77, 81, and 91 Southdale Road East and 3021 and 3033 White Oak Road:

- a) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012 to amend the Official Plan FROM Auto Oriented Commercial Corridor and Multi Family Medium Density Residential TO Neighbourhood Commercial Node and a Neighbourhood Commercial Node Special Policy;
- b) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part (a), above), to change the zoning of the subject

property FROM a Residential R1 (R1-10) Zone which, permits single detached dwellings, a Neighbourhood Facility (NF) Zone, which permits churches and an Urban Reserve (UR4) Zone which permits existing uses TO a Holding Neighbourhood Shopping Area Special Provision (h*11-h-63-h-103*NSA4 ()) Zone, which permits retail commercial uses such as grocery stores, personal service establishments, restaurants, financial institutions to a maximum total gross floor area of 6000 m² with a special provision to allow for automobile sales and service uses along the Southdale Road East frontage to a maximum depth of 50m and subject to holding provisions to ensure that a development agreement be entered into with the City, appropriate access arrangements are provided to the satisfaction of Council, implementation of all noise attenuation and design mitigating measures as recommended in a noise assessment report acceptable to the City, and to ensure that urban design matters are addressed at site plan review;

- c) the following design objectives be addressed through a site plan and development agreement before the h-103 holding provision is lifted:
- higher design standard through the site plan approval process and through the application of the Commercial Urban Design Guidelines;
 - discouragement of large, front yard surface parking areas, and drive through locations;
 - encourage street-oriented development;
 - introduce a higher standard of landscaping;
 - incorporate accessible pedestrian connections to transit facilities and to adjacent neighbouring residential areas;
 - massing and architecture within the node should provide for:
 - articulated facades and rooflines;
 - accented main entry points;
 - use of glazing and other façade treatments along sidewalk areas;
 - weather protection features; and,
 - street setbacks be minimized by placing smaller, single or multi-tenant buildings near the sidewalk and along arterial roads and increasing, as much as possible, the street frontage of this nodal development to assist in framing the prominent corner of Southdale Road East and White Oak Road;
- d) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-law as the proposed amendment was included in the description of the previous legal notice for this application;

it being also noted that the Planning and Environment Committee received a communication, dated March 24, 2012, from A. Soufan, York Developments, with respect to this matter;

it being pointed out that at the public participation meeting associated with this matter, the following individual made an oral submission in connection therewith:

- Ali Soufan, York Developments, applicant – commending staff for their work on this matter, as he and staff have been back and forth on this application for quite a few months; advising that the gap has been narrowed to a specific use, rather than commercial use; advising that the property is located on the southwest corner of Southdale Road and White Oaks Road; indicating that west of the site is a used car dealership; indicating that the property located at 35 Southdale Road has been approved for a new Mercedes dealership; advising that he doesn't have a prospective client for this site and he would like to leave some flexibility for the ultimate user; maybe a combination of auto use and retail; expressing agreement with Mr. C. Smith on staff's position; indicating that he disagrees with staff trying to restrict the auto use special provision; indicating that it makes sense to keep the auto use relating to sales and service, but not a car wash; advising that the site plan stage will drill down the level of detail required.

Motion made by Councillor J.P. Bryant and seconded by Councillor N. Branscombe to Refer clause 23 to a public participation meeting of the Planning and Environment Committee, with appropriate notice, for the purpose of receiving public input regarding the proposed by-laws.

Motion Passed

YEAS: W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (12)

NAYS: J.F. Fontana, B. Polhill, D.G. Henderson (3)

Motion made by Councillor N. Branscombe and seconded by Councillor P. Hubert to Approve reconsideration of the referral of clause 23.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

Motion made by Councillor J.P. Bryant and seconded by Councillor B. Polhill to Amend clause 23 to include a new part e) to refer the proposed special provision to allow for automobile sales and service uses along the Southdale Road East frontage to a maximum depth of 50m back to the Director of Land Use Planning and City Planner to undertake the necessary steps to hold a further public participation meeting on this matter, with appropriate notice, with no additional application fee being required in connection with the special provision under consideration.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

24. Urban Design Guidelines

That, on the recommendation of the Director, Land Use Planning and City Planner, the Civic Administration BE DIRECTED to refer the Draft Urban Design Guidelines to the following review processes:

- a) Official Plan Review;
- b) Transportation Master Plan;
- c) Culture Plan; and,
- d) Urban Forestry Plan.

it being also noted that the Planning and Environment Committee received a communication, dated March 2, 2012, from S. Cornwell, London Area Planning Consultants, with respect to this matter;

it being pointed out that at the public participation meeting associated with this matter, the following individual made an oral submission in connection therewith:

- Don McKinnon, 71 Acorn Place – expressing concern about a fatal flaw in the urban design plan, that the people in the affected area(s) are not consulted; indicating that people talk about wonderful ideas, such as the storage facility on Fanshawe Park Road East; indicating that it looks lovely on paper; advising that when you build close to the road, light from the building becomes a problem; advising that he has talked about light pollution before; suggesting that the person who is designing the building hasn't seen what they are building at night; advising that now 10 homes in the area have been devalued; advising that no one talked to the affected property owners for input into what the applicant was proposing; indicating that some things look great on paper and sometimes it falls down when you see what is there; advising that anyone that has been there and seen the results, shake their head; advising that the last time they did this, it had media coverage; suggesting that the flaw has to be identified; requesting that the people who are directly involved are talked to; enquiring as to what is a consultant; indicating that someone from 20 miles away with a laptop can be a consultant; indicating that a consultant can be an expert, build a dam and that doesn't mean that it will work; requesting that a plan be put in place before anything is done; advising that the taxpayers are the meat of the city; suggesting that in this case, the matter has been to the Committee, the standards set have not been met and let's use some teeth; suggesting that this be put in place before any consulting is commenced; and advising that if you build a 30 foot building and fill it with light, people are going to

be affected.

25. Property located at 215 Fanshawe Park Road West

That, on the recommendation of the Director of Development Planning, the following actions be taken with respect to the site plan approval application by Grand River Contracting Inc. relating to the property located at 215 Fanshawe Park Road West:

- a) the Approval Authority BE ADVISED that at the public participation meeting of the Planning and Environment Committee with respect to the site plan approval application for the construction of a commercial medical building, issues were raised with respect to isotopes, radiation, flooding and traffic volume;
- b) the Approval Authority BE ADVISED that the Municipal Council supports the approval of the attached Site Plan for a commercial medical building; and,
- c) the financing for the project BE APPROVED in accordance with the "Claims and Revenues Report" provided as Schedule "A" to the associated staff report, dated March 26, 2012;

it being pointed out that at the public participation meeting associated with this matter, the following individuals made oral submissions in connection therewith:

- D. Conley, applicant – expressing appreciation to L. McDougall for the thorough presentation; advising that he has been working with staff on this application for some months; and advising that the request for the security gate is impractical as the doctor(s) may need to see patients after hours.
- Chris Callahan, 2145 Quarrier Road, on behalf of the Richmond Street-Sunningdale Road Community Association – expressing concerns about the volume of traffic.
- David Grice, 24-475 McGarrell Drive – advising that his property is immediately behind the development; indicating that he has worked at Ontario Hydro for 30 years; expressing concern with the new information being provided about isotopes; advising that he will be meeting with the Fire Department to determine whether or not they have the necessary instruments to deal with radiation fuels; advising that with all the things that are happening around the world with radiation and nuclear sites, companies are getting more controls from their governments; advising that his main concern is that his house is directly behind the building; advising that the ground is clay and there are flooding issues (see attached photographs); enquiring as to whether or not there will be increased flooding by putting up a wall; advising that he is not asking to stop the development, just asking the builder to be careful; advising that this is a vacant land condominium; advising that his neighbours sump pump runs constantly; asking that when the builder comes in that he finds the drain before he starts digging; expressing appreciation to the staff at City Hall who have been nice to him; and asking if the trees can be changed to a different species, possibly red maples.
- Stephanie Loomer, 26 Derwent Road – advising that she has met with representatives of the Transportation Division to discuss the traffic concerns on the street and received assistance; advising that this is still going to be a very busy corner; indicating that the driveway of the medical building is right across the street; expressing concern with people entering and exiting the parking lot; advising that this will only exacerbate the situation; advising that this is a dangerous corner and that this will only make it more complicated.
- Councillor M. Brown on behalf of B. Davis, Masonville Ratepayers Association – advising that Mr. Davis provided the staff with a communication dated February 24, 2012 and that the Association's position has not changed; enquiring about the potential for a speed hump, changing the radius of the turn at Fanshawe Park Road and Derwent Road or a pork chop traffic measure.

26. Downtown Master Plan - Downtown Heritage Conservation District Plan (O-8024/08)

That, on the recommendation of the Director of Land Use Planning and City Planner, based on the direction given by Municipal Council at its meeting held on November 21, 2007 and the subsequent Official Plan review by the City of London relating to the creation of a Downtown Heritage Conservation District, the following actions be taken:

- a) the attached, revised, proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012 to designate the Downtown Heritage Conservation

District under Part V (Section 41.(1)) of the Ontario Heritage Act; (Secretary's Note: the Downtown Heritage Conservation District Plan is available for viewing in the City Clerk's Office);

- b) the attached, revised, proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012 to amend Section 13.3.5 (Implementation-Heritage Conservation District Plans), amend Section 13.3.8 (Specific Heritage Conservation Districts) of the Official Plan to identify, add a character statement and add policies to include the Downtown Heritage Conservation District, amend Section 19.2.2 (Guideline Documents) of the Official Plan, to include the Downtown Heritage Conservation Plan as a guideline document and amend Chapter 13 (Properties of Cultural Heritage Value or Interest Policies) to add a new Figure 13-5 to guide property owners and development activity within the boundaries of the District;
- c) the Planning staff BE DIRECTED to review the Official Plan policies and zoning by-law regulations which apply to the Downtown to ensure they do not conflict with the provisions of the Downtown Heritage Conservation District Plan;
- d) that Planning staff BE DIRECTED to review the possible implementation of a Development Permit System, form based code or other approach, to address the enhancement or retention of heritage resources;
- e) the Planning staff BE DIRECTED to continue to pursue the identification and designation of significant heritage structures under Part IV of the Ontario Heritage Act and apply the Heritage (HER) Zone to these structures where appropriate;
- f) the Heritage Planner **BE DIRECTED** to be an active review participant in the Official Plan amendment, zoning by-law amendment, site plan approval, minor variance and/or building permit processes within the boundaries of the Downtown HCD;
- g) the Urban Design Review Panel **BE DIRECTED** to use the heritage conservation guidelines contained in the HCD Plan and/or Downtown Urban Design Guidelines to review proposals within the District;
- h) the consultant's recommendations on specific heritage features (eg. Facades, roofs, landscaping etc.) **BE REVIEWED AND BE INCORPORATED** into the proposed Downtown Design Guidelines;
- i) the Heritage Conservation District Plan **BE USED** during the consideration of incentive program application review; and,
- j) that the Municipal Council is satisfied that the notice of public participation meeting, dated March 7, 2012, conforms with the requirements of Section 41.1.(7) of the *Ontario Heritage Act* and that no further notice **BE GIVEN** with respect to the proposed Downtown Heritage Conservation District;

it being noted that the Planning and Environment Committee received a communication, dated March 23, 2012, from J. Kennedy, President, London Development Institute, with respect to this matter;

it being pointed out that at the public participation meeting associated with this matter, the following individual made an oral submission in connection therewith:

- Dan Young, Stantec – introducing the other members of the team, being Mike Baker, Sylvia Baird and Ed Vandermaarl; advising that there were two phases to the project, with the first phase being the background study and phase two being the preparation of the plan; advising that the original study area removed the existing West Woodfield Heritage Conservation District, and moved the west boundary further west to include Harris Park and Eldon House; advising that, in the Plan, there are three heritage character statements, a number of conservation principles, such as the intent of preserving the historic context of downtown, the preservation of the traditional setting, and preservation of original decoration and fittings; advising that the Plan includes the Heritage Conservation District guidelines, including what it means to the average person who owns land downtown.
- Mike Baker, Historian – advising that the District contains buildings and sites that contribute to the significance of the downtown; indicating that, in the past, the role of the downtown was as the cities and regions economic service centre; advising that the downtown was developed by labourers, immigrants and their descendants'; advising

that most of owners who worked downtown lived in what is now the West Woodfield Heritage Conservation District; advising that it is remarkable for a city to have three districts that represent so much history; advising that, on the maps, each colour represents a different ranking; for example, red/blue are the most important from a heritage assessment; significant landscape forms and elements developed within the district marked in black; the most interesting features of landscapes are marked in grey (which are the alleyways); noting that, in some cases, due to demolition, some alleyways are out in the open; yellow reflects commercial buildings; orange reflects residential buildings; industrial section in light red and civic institutional in dark red; traffic patterns, sidewalks, setbacks all have implications for street furniture and plantings; advising that a large part of the Plan is made up of a matrix, with each one assigned with designation such as heritage, non-heritage, infill; identifying that it is mainly structures built after the development period; noting that within the assessment there is a ranking system with definitions for each assignment; indicating that the chart at the top is significant as it indicates how each of the buildings in the Heritage Conservation District work in terms of requirements for retention or replacement; noting that A's and B's are buildings that have highest heritage significance, C's and D's are of less concern and replacement is expected in some cases, following the Urban Design Guidelines; advising that there are four classifications of landscape categories, including setbacks between buildings, boulevards and buildings; providing an example of an 'A' level on the screen; noting that you can see the address, assignment, description (name of building – if one has been found), approximate date of construction, and the character defining elements; showing a picture of 199 Queens Avenue, which is located beside a large church at the corner of Clarence Street; noting that none of the buildings in picture exist today; also noting that 199 Queens Avenue is one of the few residences still standing; advising that few features are still retained and that Mr. Hiscox had to demolish two houses to build this house; providing an example of a 'B' ranking; noting that it is one of the few industrial structures that still exist downtown; also noting that the third floor has been lost; however, all window shapes and all windows still exist; and providing an example of a 'C' ranking where more of details have been lost.

27. Property located at 1602 Sunningdale Road West (39T-11503/OZ-7985)

That, on the recommendation of the Senior Planner, Development Planning, the following actions be taken with respect to the application of Foxwood Developments (London) Inc., relating to the property located at 1602 Sunningdale Road West:

- a) an amendment to the Fox Hollow Community Plan BE APPROVED at the Municipal Council meeting to be held on April 10, 2012 to change the designation of certain portions of lands within this plan FROM Low Density Residential TO Multi-Family, Medium Density Residential; and FROM Multi-Family Medium Density Residential TO Multi-Family High Density Residential; FROM Low Density Residential TO Community Facility and TO ADD a new secondary collector road connection to Sunningdale Road, as shown on the attached Appendix "A";
- b) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012 to amend certain portions of the Official Plan as follows:
 - FROM Low Density Residential TO Multi-Family, Medium Density Residential, to allow for multiple-attached dwellings such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged;
 - FROM Multi-Family Medium Density Residential TO Multi-Family High Density Residential to permit low-rise and high-rise apartment buildings; apartment hotels; multiple-attached dwellings; emergency care facilities; nursing home; rest homes; homes for the aged; and rooming and boarding houses; and,
 - TO amend Schedule C of the Official Plan TO ADD a secondary collector road;
- c) the Approval Authority **BE ADVISED** that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the the application for draft plan of subdivision of Foxwood Developments (London) Inc. relating to the property located at 1602 Sunningdale Road West;
- d) the Approval Authority **BE ADVISED** that the Municipal Council supports the Approval

Authority issuing draft approval of the proposed plan of residential subdivision, as submitted by Foxwood Developments (London) Inc. (File No. 39T-11503 prepared by AECOM Engineering Inc., certified by David Bianchi, OLS, as redline revised, which shows 18 low density residential blocks; six (6) medium density residential blocks; one (1) high density residential block; two (2) school blocks; two (2) park blocks; road widening blocks and various reserve blocks served by 14 new streets and the extension of Dyer Drive, **SUBJECT TO** the conditions contained in the attached, revised, Appendix "39T-11503";

- e) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on April 10, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to change the zoning of the subject property **FROM** a Urban Reserve (UR3) Zone, which permits uses such as existing dwellings; agricultural uses except for mushroom farms, commercial greenhouses livestock facilities and manure storage facilities; kennels; private outdoor recreation clubs; and riding stables as follows:
- TO a Holding Residential R1 (h. h-100 R1-3) Zone, to permit single detached dwellings on lots with a minimum frontage of 10.0 metres (32.81 feet) and a minimum lot area of 300 square metres (3,229.28 square feet), subject to holding provisions requiring the developer to enter into a subdivision agreement with the City and to ensure that there is water looping and a second public access prior to the 81st building permit being issued;
 - TO a Holding Residential R1 (h. h-100 R1-13) Zone, to permit single detached dwellings on lots with a minimum frontage of 9.0 metres (29.53 feet) and a minimum lot area of 270 square metres (2,906.35 square feet);
 - TO a Holding Residential R1 Special Provision (h. h-100 R1-4()) Zone, to permit single detached dwellings on lots with a minimum frontage of 12.0 metres (39.37 feet) and a minimum lot area of 360 square metres (3,875.13 square feet), with a special provision to include a minimum main building setback of 3.0 metres and a maximum main building setback of 4.5 metres ;
 - TO a Holding Residential R1 (h. h-100 R1-4) Zone, to permit single detached dwellings on lots with a minimum frontage of 12.0 metres (39.37 feet) and a minimum lot area of 360 square metres (3,875.13 square feet);
 - TO a Holding Residential R5/Residential R6 (h. h-71 h-100 R5-6/R6-5) Zone, to permit cluster townhouse and cluster stacked townhouse dwellings and other forms of cluster housing (cluster townhouse and cluster stacked townhouse dwellings at a maximum density of 50 units per hectare (20.24 units per acre)) and a maximum height of 12.0 metres (39.37 feet); and cluster housing which includes single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, stacked townhouse dwellings, apartment buildings at a maximum density of 35 units per hectare (14.17 units per acre) and a maximum height of 12.0 metres (39.37 feet);
 - TO a Holding Residential R5/Residential R6 (h. h-54 h-71 h-100 R5-6/R6-5) Zone, to permit cluster townhouse and cluster stacked townhouse dwellings and other forms of cluster housing (cluster townhouse and cluster stacked townhouse dwellings at a maximum density of 50 units per hectare (20.24 units per acre) and a maximum height of 12.0 metres (39.37 feet)); and cluster housing, which includes single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, stacked townhouse dwellings, apartment buildings at a maximum density of 35 units per hectare (14.17 units per acre) and a maximum height of 12.0 metres (39.37 feet);
 - TO a Holding Residential R5/Residential R6 (h. h-53 h-54 h-100 R5-6/R6-5) Zone, to permit the uses as listed above in the R5-6/R6-5 Zones, subject to a holding provision to address street oriented development of the multi-family blocks;
 - TO a Holding Residential R5/Residential R6 (h. h-53 h-54 h-100 h_ R5-6/R6-5) Zone, to permit the uses as listed above in the R5-6/R6-5 Zones, subject to a holding provision to address street oriented development of the multi-family blocks, with a new holding provision to address the requirements for additional

lands for a roundabout at the intersection of Sunningdale Rd and Hyde Park Road;

- TO a Holding Neighbourhood Facility/Residential R1 (h. h-100 NF1/R1-13) Zone, to permit schools and other institutional uses on lots with a minimum frontage of 30 metres (98.43 feet) and a minimum lot area of 700 square metres (7,534.98 square feet) and single detached dwellings (see R1-13 regulations above);
 - TO a Holding Residential R6 (h. h-71 h-100 R6-1) Zone, to permit cluster single detached housing at a maximum density of 15 units per hectare (6 units per acre) and a maximum height of 10.5 metres (34.45 feet);
 - TO a Holding Neighbourhood Facility/Residential R6 (h. h-71 h-100 h-108 NF1/R6-1) Zone, to permit schools and other institutional uses (see NF1 regulations above) and cluster single detached housing (see R6-1 regulations above);
 - TO a Holding Residential R9 (h. h-100 h-123 R9-7 H45 D150) Zone, to permit apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings, continuum-of-care facilities, at a maximum density of 150 units per hectare (60.72 units per acre) and a maximum height of 45 metres (147.6 feet); and,
 - TO a Open Space (OS1) Zone, to permit a limited range of uses, such as conservation lands and works, golf courses and parks;
- f) the request to amend Zoning By-law No. Z.-1 to change the zoning of a portion of the subject property **FROM** an Urban Reserve (UR3) Zone **TO** a Residential R1 (h. h-100 R1-13) Zone, to permit single detached dwellings on lots, with a minimum frontage of 9.0 metres (29.53 feet) and a minimum lot area of 270 square metres (2,906.35 square feet); **TO** a Compound Holding Residential R1/Residential R5/ Residential R6 (R1-13/R5-6/R6-5) Zone, to permit single detached dwellings(see regulations above); cluster townhouse and cluster stacked townhouse dwellings at a maximum density of 50 units per hectare (20.24 units per acre) and a maximum height of 12.0 metres (39.37 feet); and cluster housing which includes single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, stacked townhouse dwellings, apartment buildings at a maximum density of 35 units per hectare (14.17 units per acre) and a maximum height of 12.0 metres (39.37 feet); **TO** a Compound Holding Residential R4/Residential R5/ Residential R6 (R4-3/R5-6/R6-5) Zone, to permit street townhouses on lots with a minimum frontage of 5.5 metres (18 feet) and a minimum lot area of 200 square metres (2,152.85 square feet); cluster townhouse and cluster stacked townhouse dwellings and other forms of cluster housing (see R5-6 and R6-5 regulations above); it being noted that in order to provide for a more appropriate lot mix, all or portions of Blocks 3-9 should be zoned R1-3; it being also noted that it is inappropriate to mix zones which permit conventional single detached dwellings on freehold lots with cluster house zones as it can permit incompatible forms of residential development; street townhouse development on this proposed gateway collector road (Street "A") would not be appropriate as it would create numerous access points to the collector street which would impact any gateway feature proposed for this development; and, the requested zone changes would not represent good land use planning **BE REFUSED**;
- g) Section 4.21 of Zoning By-law No. Z.-1, entitled "Road Allowance Requirements – Specific Roads" to add a portion of Street "A", Street "B", Street "G" and Dyer Street as Secondary Collector Roads **BE APPROVED**; and,
- h) the attached communication, dated March 26, 2012, from G. Priamo, Zelinka Priamo Ltd, **BE REFERRED** to the Civic Administration for consideration;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter.

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Amend in part e) by replacing the by-law appended thereto with the attached revised by-law to add a proposed special provision for the R1-4 Zone to provide for a minimum and maximum front yard depth for the main building of 3.0 m (9.8 ft) and 4.5 m (14.8 ft), respectively, and a front and exterior side yard depths for garages of 6.0 m (19.7 ft); and adding to the end of part e) the words "and pursuant to section 34(17) of the Planning Act, as determined by Municipal Council, no further

notice BE GIVEN in respect to the proposed by-law, as the proposed changes to the by-law are the result of a minor technical error”.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

The motion to Approve clauses 21 and 22, clause 23, as amended, clauses 24 to 26 and clause 27, as amended is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

Motion made by Councillor B. Polhill to Approve clauses 28 to 31.

28. Property located at 160 Sunningdale Road West (39T-11504/OZ-7991)

That, notwithstanding the recommendation of the Senior Planner, Development Planning, a special meeting of the Planning and Environment Committee BE HELD on Tuesday, April 10, 2012 at 3:00 p.m., with respect to the application of Tricar Developments Inc. relating to the property located at 160 Sunningdale Road West, to determine the height of the proposed buildings; it being noted that the public site plan study BE COMPLETED prior to the commencement on construction;

it being pointed out that at the public participation meeting associated with this matter, the following individual made an oral submission in connection therewith:

- Dan Young, Stantec – expressing support for the staff recommendations; indicating that the buildings were taller than anticipated as they are following the Urban Design Guidelines; advising that the two towers are connected with a two storey podium; indicating that there will be two levels of underground parking, which eliminates some surface parking; advising that there is 60% open space; indicating that there will be a green roof on the roof of the two-storey podium; advising that the newer tower sits at a lower grade and will be almost the same height as the current 12 storey building; and advising that the two storey podium will be used as an amenity space.
- Chris Callahan, 2145 Quarrier Road – expressing appreciation for what the Committee does; advising that he talked to the residents in the neighbourhood and everyone is concerned with the height of the proposed buildings; advising that the community is working with the developer to develop something different; advising that the community is asking for a small reduction in the size of the building; indicating that the community is committed to working together to resolve issues; indicating that the community is asking for a four-storey reduction; indicating that they wish to maintain the quality of the development; and requesting the addition of an h-5 Zone to require the public site plan review process; and reiterating that the area residents are committed to working with the developer.
- Jason Enright, 2139 Quarrier Road – expressing support of Mr. Callahan’s comments; advising that he likes the concept of the development; expressing appreciation that Tricar is working with the community; indicating that he likes that the bonusing guidelines were agreed to; asking that the proposed buildings be reduced by four storeys; and expressing a willingness to work with Tricar.
- Chris Maciejowski, 1944 Callingham Court – advising that his residence faces the twelve-storey Tricar building; advising that he didn’t anticipate the construction of an 18-storey building; and requesting the proposed buildings be reduced in size.
- Kelly Mancari, 1982 Richmond Street – enquiring as to whether or not the building is 18-storeys or 21 storeys; enquiring as to whether or not there are trees planned for the development; and advising that the last time that trees were part of a development, the trees planted were 6 inches tall until the City stepped in and the trees were replaced with 18 inch tall trees.

29. Properties located at 255 South Carriage Road and 1331 Hyde Park Road (39T-08502/Z-7489/OZ-7510)

That, notwithstanding the recommendation of the Senior Planner, Development Planning, the application of Kenmore Homes (London) Inc. relating to the properties located at 255 South Carriage Road and 1331 Hyde Park Road BE REFERRED back to the Civic Administration for further consultation with the neighbourhood;

it being pointed out that at the public participation meeting associated with this matter, the following individual made an oral submission in connection therewith:

- R. Knutson, on behalf of the applicant – advising that he is requesting that the application be referred back to allow the issues to be resolved; advising that two-thirds of the area will be undisturbed; indicating that there will be sideyards; indicating that Lots 141-149 would have the minimum rear yard of six metres; and advising that a public school will be built.
- Wanda Oatman, 21-1144 Coronation Drive – advising that there are homes that back onto five units of the proposed development; indicating that the current residents live on their decks; advising that, with this development, they will be looking at a two-storey wall; indicating that they don't have sideyards; advising that most of the residents are in their 50's and 60's; advising that they pay their taxes, are good citizens and support the local economy; indicating that the original plan had four homes on an angle; requesting that the applicant go back to the original plan; and advising that they would lose all their sun with this revised application.
- Earl Towell, 1169 Coronation Drive – advising that he is speaking for the residents who face onto proposed Street "A"; requesting that the lot size on Street "A", as it meets Coronation Drive, be increased from the proposed 12 to 15 metres wide; advising that the lot sizes on Coronation Drive are 15 to 16 metres wide; advising that they paid in the \$300,000's for their lots; indicating that the new homes going in are selling in the \$400,000's, the 9 metre lots are selling in the \$200,000's; advising that lot size does matter in cost; and requesting a buffer zone.
- Stefan Starzynski, 1555 Healy Road – advising that there are lots of children in this subdivision; advising that they have lived in their house for six years; indicating that there is no playground in the subdivision; advising that one area is designated for a play area at the corner of Coronation Drive and Healy Road; indicating that he was advised that a playground would be built; advising that trees were removed and there is still no playground; enquiring as to where the children are to play; advising that there are 25 more homes being built; indicating that there were mentions of bonuses in the previous applications; and advising that the biggest bonus for this area would be a playground.
- Normal Spearing, 1144 Coronation Drive – enquiring as to how far from the fence line the new properties would be built; advising that if the neighbours are as close as she thinks, she could BBQ one night and her neighbor could BBQ the next night and she could pass the food over the fence.
- Kim, 419 Brunswick Avenue – advising that she received the letter from the City with less than one day's notice of the meeting; advising that Block 203 could be for commercial uses; expressing concern as she has young children; and advising that she has been waiting for a long time for a park.

30. Commercial Development - Boler Mountain Ski Club

That the communication, dated February 20, 2012, from B. Schneider and A. Mooser, 717 Griffith Street, with respect to the Boler Mountain Ski Club parking lot BE REFERRED to the Civic Administration for consideration. (2012-D25-00)

31. Deferred Matters/Additional Business

That the Planning and Environment Committee (PEC) received an enquiry from Councillor W.J. Polhill with respect to Don de Jong's proposal for the financing of Old Victoria SWM Facility #1 and the request of Sifton Properties Limited to move forward with the construction of the Old Victoria SWM #2 from 2015 to 2012, in exchange for the River Bend SWMF G construction being deferred to 2016. The Civic Administration advised that the proposed pond would be located on an easement and that the Legal Division is determining if the pond can be constructed on the easement; it being noted that this matter will be discussed at the April 16, 2012 PEC meeting.

The motion to Approve clauses 28 to 31 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

9th Report of the Planning and Environment Committee
Councillor B. Polhill presents.

Motion made by Councillor B. Polhill to Approve clauses 1 and 2.

1. Disclosures of Pecuniary Interest

No pecuniary interests are disclosed.

2. Property located at 160 Sunningdale Road West (39T-11504/OZ-7991)

That, the following actions be taken with respect to the application of Tricar Developments Inc., relating to the property located at 160 Sunningdale Road West:

- a) the proposed attached by-law BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012 to amend the Official Plan to change the designation of lands fronting Sunningdale Road FROM Multi-Family Medium Density Residential" TO "Multi-Family High Density Residential" to permit low-rise and high-rise apartment buildings; apartment hotels; multiple-attached dwellings; emergency care facilities; nursing home; rest homes; homes for the aged; and rooming and boarding houses; AND to amend Schedule C of the Official Plan TO ADD two secondary collector roads;
- b) the Approval Authority BE ADVISED that height issues were raised at the Planning and Environment Committee public meeting with respect to the application for draft plan of subdivision of Tricar Developments Inc. relating to the property located at 160 Sunningdale Road West;
- c) the Approval Authority BE ADVISED that the Municipal Council supports issuing draft approval of the proposed plan of residential subdivision, as submitted by Tricar Developments Inc. (File No. 39T-11504 prepared by Stantec Consulting Inc., certified by Brian Campbell, OLS, as redline revised which shows 101 single detached residential lots, one(1) medium density residential block and one (1) medium/high density residential block, road widening and reserve blocks, served by four (4) new streets and the extensions of Pelkey Road and Callingham Drive, SUBJECT TO the conditions contained in the attached Appendix "39T-11503";
- d) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on April 10, 2012 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan, as amended in part (a) above) to change the zoning of the subject property **FROM** a Urban Reserve (UR3) Zone which permits uses such as existing dwellings; agricultural uses except for mushroom farms, commercial greenhouses livestock facilities and manure storage facilities; kennels; private outdoor recreation clubs; and riding stables **TO** a:
 - Holding Residential R1 (h. h-100 R1-5) Zone to permit single detached dwellings on lots with a minimum frontage of 12.0 metres (39.37 feet) and a minimum lot area of 415 square metres (4,467.17 square feet);
 - Holding Residential R1 (h. h-100 R1-6) Zone to permit single detached dwellings on lots with a minimum frontage of 15.0 metres (49.2 feet) and a minimum lot area of 450 square metres (4844 square feet);
 - Holding Residential R1 (h. h-94 h-100 R1-6) Zone to permit single detached dwellings on lots with a minimum frontage of 15.0 metres (49.2 feet) and a minimum lot area of 450 square metres (4844 square feet);
 - Holding Residential R5/Residential R6 (h. h-53 h-100 h-108 R5-4/R6-4) Zone to permit cluster townhouse and cluster stacked townhouse dwellings at a maximum density of 40 units per hectare (16.2 units per acre) and a maximum height of 12.0 metres (39.37 feet); and cluster housing which includes single detached dwellings, semi-detached dwellings, and duplex dwellings at a maximum density of 30 units per hectare (12.15 units per acre) and a

maximum height of 10.5 metres (34.45 feet);

- Holding Residential R4 (h. h-100 R4-6) Zone to permit street townhouses on lots with a minimum frontage of 5.5 metres (18 feet) and a minimum lot area of 160 square metres (1,722.28 square feet); and a
 - Holding Residential R9 (h. h-100 h-119 R9-7 () H48) Zone to permit apartment buildings; lodging house class 2; senior citizens apartment buildings; handicapped persons apartment buildings and continuum-of-care facilities at a maximum density of 150 units per hectare (61 units per acre) and a maximum height of 48 metres (157.5 feet) with a special provision for a 0.0 metre building setback from Sunningdale Road;
- e) the h-119 holding provision **BE REMOVED** after a development agreement between the applicant and the City has been entered into which is consistent with the conceptual site plan and elevations attached as Appendix "C" which incorporates the following Urban Design Criteria:
- a podium base with a substantial step back from the podium face to the face of the building shaft;
 - the podium base orientated to pedestrian interest along Sunningdale Road West, consisting of high portion of glazing;
 - the top 4 storeys of the building shaft are to step back from the easterly and westerly elevations and the top storey will also step back from the northerly and southerly elevations;
 - a mixtures of glass/ window wall and other surface finishes on building shaft; and,
 - a roofline change in the height in the podium section between the high-rise buildings;
- f) the request to amend Zoning By-law No. Z.-1 to change the zoning of a portion of the subject property **FROM** an Urban Reserve (UR3) Zone **TO** a Residential R1 (R1-5) Zone to permit single detached dwellings on lots with a minimum frontage of 12.0 metres (39.37 feet) and a minimum lot area of 415 square metres (4,467.17 square feet); **BE REFUSED** for the following reason:
- an agreement has been reached between the applicant and existing residents to the south to eliminate a portion of the R1-5 Zone and to apply a R1-6 zone which provides for lots which are more in keeping with the lot fabric in the existing neighbourhood;
- g) Section 4.21 of Road Allowance Requirements – Specific Roads of the Z.-1 By-law **BE AMENDED** to add Callingham Drive (within this plan) and Street "A" as Secondary Collector Roads;

it being noted that the Planning and Environment Committee received the following attached communications with respect to this matter:

- Chris Callahan, by e-mail; and,
- Jason Enright, 2139 Quarrier Road, by e-mail.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (14)

3. Heritage Designation – 1576 Richmond Street

That, notwithstanding the recommendation of the Director, Land Use Planning and City Planner the proposed designation of the property located at 1576 Richmond Street **BE DENIED**;

it being also noted that the Planning and Environment Committee heard a verbal presentation from A.R. Patton, Patton, Cormier & Associates and received the attached communication, dated April 5, 2012, from M. Doornbosch, Zelinka Priamo Ltd., with respect to this matter.

Motion made by Councillor B. Polhill to reconsider Council's previous decision with respect to 1576 Richmond Street.

Motion Failed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (8)

NAYS: J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, D.G. Henderson (6)

Motion made by Councillor N. Branscombe and seconded by Councillor S. Orser, to Recess.

Motion Passed

The Council recesses at 7:15 PM and reconvenes at 7:49 PM with Mayor J. Fontana in the Chair and all Members present except Councillors P. Hubert and S.E. White.

5th Report of the Community Services Committee

Councillor M. Brown presents.

Motion made by Councillor M. Brown to Approve clauses 1 to 5, excluding clause 4.

1. Disclosures of Pecuniary Interest

No pecuniary interests were disclosed.

2. 2nd Report of the Accessibility Advisory Committee

That the following actions be taken with respect to the 2nd Report of the Accessibility Advisory Committee:

- a) the Division Manager – Parking and Traffic Signals, BE REQUESTED to report back to the appropriate Standing Committee with respect to additional clarity as to enforcement, signage and subdivision agreements specifically related to accessible parking; and,
- b) the 2nd Report of the Accessibility Advisory Committee, from its meeting held on March 22, 2012, BE RECEIVED.

3. Pest Control With Bed Bug Focus (LMHC)

That the Council resolution from its meeting held on February 21 and 22, 2012 with respect to Pest Control with Bed Bug Focus (LMHC), BE RECEIVED.

5. Spectrum Registration Process and Catalogue Changes

That, on the recommendation of the Director of Parks & Recreation and the Director of Neighbourhood and Children's Services, with the concurrence of the Executive Director of Community Services, the report dated April 2, 2012 related to changes to the Spectrum registration process and catalogue BE RECEIVED for information; it being noted that Spectrum online will be reorganized to be more interactive, while at the same time being user friendly and able to handle larger volumes; it being further noted that as Spectrum users migrate to a superior online information gathering and program registration process, less printed spectrum magazines will be required and the cost of publication will be significantly reduced over time.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, D.G. Henderson, P. Van Meerbergen, H.L. Usher, J.P. Bryant (11)

NAYS: S. Orser, D. Brown (2)

Motion made by Councillor D. Henderson to Approve clause 4.

Councillor Hubert enters the meeting at 7:52 PM.

At 7:55 PM Mayor J. Fontana places Councillor P. Hubert in the Chair and takes a seat at the Council Board.

At 8:00 PM Mayor J. Fontana returns to the Chair and Councillor P. Hubert takes his seat at the Council Board.

4. Tender 12-45 Forks of the Thames Lookout

That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to Tender 12-45, Forks of the Thames Lookout:

- a) the bid submitted by Frank Van Bussel & Sons Ltd., P.O. Box 340, 3 Ilderbrook Circle, Ilderton, Ontario N0M 2A0 in the amount of \$462,731.06 including contingency, excluding HST, BE ACCEPTED; it being noted that this is the lowest bid of the five submitted, and meets all the terms, conditions and specifications;
- b) the additional annual operating costs of \$10,000, BE APPROVED as a first priority commitment from available assessment growth in 2013, subject to final budget approval;
- c) the Civic Administration BE AUTHORIZED to undertake all of the administrative acts that are necessary in connection with this contract; and,
- d) the approval hereby given BE CONDITIONAL upon the Corporation entering into formal contract or issuing purchase orders or contract record relating to this matter.

Motion made by Councillor D.G. Henderson and seconded by Councillor S. Orser to Amend clause 4 to add the following as a new part b), and renumber the remaining parts of the clause accordingly:

- “b) the financing for this project BE APPROVED as set out in the Sources of Financing Report provided as Appendix “A” to the associated staff report, dated April 2, 2012;”

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, P. Hubert, D.G. Henderson, H.L. Usher, J.P. Bryant (11)

NAYS: M. Brown, P. Van Meerbergen, D. Brown (3)

Councillor S.E. White enters the meeting at 8:03 PM.

The motion to Approve clause 4, as amended, is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, P. Hubert, D.G. Henderson, H.L. Usher, J.P. Bryant, S.E. White (12)

NAYS: M. Brown, P. Van Meerbergen, D. Brown (3)

Motion made by Councillor M. Brown to Approve clauses 6 to 10.

6. Homelessness Partnering Strategy Contribution Agreement

That, on the recommendation of the Director of Social and Community Support Services, with the concurrence of the Executive Director of Community Services, the following actions be taken with respect to the Homelessness Partnering Strategy with the Government of Canada:

- a) the attached proposed by-law (Appendix A) BE INTRODUCED at the Municipal Council meeting of April 10, 2012 to:
 - i) approve the Funding Agreement between The Corporation of the City of London and Her Majesty in Right of Canada, as represented by the Minister of Human Resources and Skills Development, substantially in the form attached as Schedule 1 and to the satisfaction of the City Solicitor, for the above-noted project; and,

- ii) authorize the Mayor and the City Clerk to execute the above-noted agreement; and,
 - iii) delegate to the Executive Director of Community Services, or written designate, the related signing for authorities required under Schedule B of the By-law;
- b) subject to the approval of the by-law noted in a), above, the attached proposed by-law (Appendix B) BE INTRODUCED at the Municipal Council meeting of April 10, 2012 to:
- i) approve the template for sub-project funding agreement(s);
 - ii) delegate to the Manager, Homelessness, Hostels and Special Populations, the authority to insert details into the above-noted agreement template; and,
 - iii) delegate to the Executive Director of Community Services the authority to execute the above-noted sub-project agreements; and
- c) the Executive Director BE DIRECTED to report back at a future meeting of the Community Services Committee with respect to the progress of the above-noted initiative.

7. Update Program Delivery and Fiscal Plan for Investment in Affordable Housing Program

That, on the recommendation of the Director of Municipal Housing, with the concurrence of the Executive Director of Community Services, the report dated April 2, 2012, which provides an update on the Affordable Housing Program Delivery and Fiscal Plan, BE RECEIVED.

8. By-Law for Amendment to the SDI Builders Ltd. Municipal Contribution Agreement

That, on the recommendation of the Director of Municipal Housing, with the concurrence of the Executive Director of Community Services, and in accordance with Municipal Housing Facilities By-Law No A.-5814-11, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on April 10, 2012, to:

- a) authorize an amending Municipal Contribution Agreement substantially in the form of an agreement appended to the by-law and to the satisfaction of the City Solicitor, related to the SDI Builders Ltd. project at 164 Albert Street, which was approved for additional funding by Municipal Council on August 31, 2009 in order to permit a first mortgage with Libro Financial Group in the amount of \$450,000; and,
- b) authorize the Mayor and the City Clerk to execute the above-noted Amending Agreement.

9. By-Law for Amendment to the Italian Seniors Project Municipal Contribution Agreement

That, on the recommendation of the Director of Municipal Housing, with the concurrence of the Executive Director of Community Services, the following actions be taken with respect to the Italian Seniors Project at 1109 Hamilton Road, which was approved by Municipal Council on July 27, 2009:

- a) Schedule M – Project Information Form, BE AMENDED to permit a first mortgage with First National in the amount of \$2,627,310; and,
- b) in accordance with Municipal Housing Facilities By-Law No A.-5814-11, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on April 10, 2012, to:
 - i) approve an amending Municipal Contribution Agreement substantially in the form of an agreement appended to the by-law and to the satisfaction of the City Solicitor; and
 - ii) authorize the Mayor and the City Clerk to execute the above-noted amending Agreement.

10. By-Law for 2nd Amendment to the YOU Municipal Contribution

Agreement

That, on the recommendation of the Director of Municipal Housing, with the concurrence of the Executive Director of Community Services, the following actions be taken with respect to the Youth Opportunities Unlimited (YOU) project at 332-338 Richmond Street, which was approved by Municipal Council on October 22, 2007:

- a) the term of the loan BE EXTENDED for an additional fifteen (15) month period, to reflect the fact that the affordable housing units were not available between October 1, 2010 and February 1, 2012; and,
- b) in accordance with Municipal Housing Facilities By-Law No A.-5814-11, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on April 10, 2012, to:
 - i) authorize an amending Municipal Contribution Agreement substantially in the form of an agreement appended to the by-law and to the satisfaction of the City Solicitor; and
 - ii) authorize the Mayor and the City Clerk to execute the above-noted Amending Agreement.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

Motion made by Councillor M. Brown to Approve clauses 11 to 15.

11. Psychiatric Survivors, Poverty and Social Inclusion

That the Civic Administration BE REQUESTED to provide a progress report to the Community Services Committee (CSC) with respect to the Community-University Research Alliance (CURA2) project, related to psychiatric survivors, poverty and social inclusion; it being noted that the CSC received the attached presentation from Dr. C. Forchuk, UWO and B. Edwards, MEd, with respect to this matter.

12. Proposed New Convert-to-Rent / Rehabilitation Program

That, on the recommendation of the Director of Municipal Housing, with the concurrence of the Executive Director of Community Services, the following changes to the current Convert-to-Rent/Rehabilitation Program BE APPROVED:

- a) financial assistance be increased to up to \$48,000 per unit, to a maximum of seven (7) units or a maximum \$336,000 per property, within the previously-approved geographic areas in the City of London; it being noted that exceptions to these geographic areas will continue to be reviewed, on a case-by-case basis, for specific properties outside the program area that meet all other criteria; and,
- b) the maximum funding allocated under this program be limited to \$520,000 per year.

13. Municipal Housing Supplement Program

That, on the recommendation of the Director of Municipal Housing, with the concurrence of the Executive Director of Community Services, the following actions be taken with respect to a Municipal Housing Supplement Program:

- a) the above-noted Program BE CREATED, as outlined in the associated report dated April 2, 2012 from the Director of Municipal Housing; it being noted that the Program intent is to provide a fixed subsidy to eligible selected landlords to reduce the effective market rent of rental units in order to meet the affordability needs of prospective or existing eligible tenants; it being further noted that the Program details address the identified priority populations and needs outlined within the London Community Housing Strategy;
- b) the Director of Municipal Housing BE DIRECTED to report back on the details and

outcomes of this initiative as part of the annual London Community Housing Strategy Update report;

- c) the Director of Municipal Housing BE REQUIRED report back to the Community Services Committee with respect to the approval of individual landlord agreements; and,
- d) the allocation for the Municipal Housing Supplement BE APPROVED in accordance with the Council-approved Program Delivery and Fiscal Plan, with funding through the Affordable Housing Reserve Fund.

14. Revision to the Affordable Housing Capital Reserve Fund Policy

That, on the recommendation of the Director of Municipal Housing, with the concurrence of the Executive Director of Community Services, the following actions be taken with respect to the Affordable Housing Capital Reserve Fund Policy:

- a) following revisions to the Affordable Housing Capital Reserve Fund Policy BE APPROVED:
 - i) Section 1, Purpose and Objectives: Add operating funding;
 - ii) Section 2, Eligibility Criteria: Add landlords from existing private sector rental units;
 - iii) Section 4, Eligible Costs: Add a housing supplement as an eligible cost;
 - iv) Section 5, Assistance Levels: up to \$200 per unit in housing supplement to eligible landlords;
 - v) Section 6, Affordability Criteria: Target unit types for the Housing Supplement Program according to the London Community Housing Strategy;
 - vi) Section 7, Project Selection Process: Add EOI process; also include in-situ units;
 - vii) Section 7, Project Selection Process: Update composition of evaluation committee; and
 - viii) Title: Remove the word capital and rename to the Affordable Housing Reserve Fund Policy; and,
- b) the attached, revised, proposed by-law BE INTRODUCED at the Municipal Council meeting on April 10, 2012, to amend the Affordable Housing Reserve Fund By-Law to reflect the revisions in a), above.

15. 2nd Report of the London Housing Advisory Committee

That the following actions be taken with respect to the 2nd Report of the London Housing Advisory Committee, from its meeting held on March 21, 2012:

- a) the following actions be taken as a result of the general discussion of the London Housing Advisory Committee (LHAC), related to the review of the 2010/2011 Housing Mediation Services Annual Report:
 - i) the Civic Administration BE INVITED to attend a future meeting of the LHAC to provide an overview of housing and zoning matters related to the Official Plan review currently being undertaken; and,
 - ii) the 2013 contribution to the Affordable Housing Reserve BE ESTABLISHED at \$2M; it being noted this amount was reduced to \$1M in 2012; it being noted that the LHAC received a verbal update from G. Matthews, Housing Mediation Officer, University of Western Ontario, with respect to this matter.

(Secretary's Note: copies of the above-noted report are available for viewing in the City Clerk's Office.); and

- b) clauses 2 to 5, inclusive, BE RECEIVED.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (14)

NAYS: J.L. Baechler (1)

11th Report of the Finance and Administrative Services Committee

Councillor P. Hubert presents.

Motion made by Councilor P. Hubert to approve clauses 1 to 7.

1. Disclosures of Pecuniary Interest

Councillor Branscombe disclosed a pecuniary interest in clause 16 of this Report having to do with the Westminster Outdoor Pool and Bathhouse Upgrades by indicating that the subject contractor is doing work on her husband's building.

2. 2011 Compliance Report in Accordance with the Procurement of Goods and Services Policy

That, on the recommendation of the City Treasurer, Chief Financial Officer the report dated March 26, 2012 regarding 2011 compliance in accordance with the Procurement of Goods and Services Policy BE RECEIVED for information.

3. Mayor's Office Expenses

That, on the recommendation of the City Treasurer, Chief Financial Officer, the report dated March 26, 2012 regarding additional details with respect to the Mayor's 2011 expenses BE RECEIVED for information.

4. Shamrock Subdivision - Possible Agreement with Property Owner

That, on the recommendation of the City Treasurer, Chief Financial Officer, the Civic Administration BE DIRECTED to take the following actions with respect to property located on the south side of Exeter Road, west of Wellington Road, consisting of an area of 17 hectares subdivided into 34 roll numbers, known as Shamrock Subdivision (Plan 33M-272), and 595 Exeter Road, which currently has two (2) existing commercial buildings located on the premises:

- a) not proceed with a third tax sale or vest the subject lands after any such tax sale at this time; and
- b) execute an agreement substantially in the form attached as Appendix A, and to the satisfaction of the City Solicitor.

Motion made by Councillor P. Hubert and seconded by Councillor D. Brown to amend clause 4 to read as follows:

That, on the recommendation of the City Treasurer, Chief Financial Officer, the following actions be taken with respect to property located on the south side of Exeter Road, west of Wellington Road, consisting of an area of 17 hectares subdivided into 34 roll numbers, known as Shamrock Subdivision (Plan 33M-272), and 595 Exeter Road, which currently has two (2) existing commercial buildings located on the premises:

- a) **NO ACTION BE TAKEN** to proceed with a third tax sale or vest the subject lands after any such tax sale at this time; and
- b) the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting on April 10, 2012 to approve an agreement substantially in the form attached as Schedule 1 to the by-law and to the satisfaction of the City Solicitor, and to authorize the Mayor and the City Clerk to execute the Agreement.

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen that clause 4 be referred back to staff to discuss options, based upon potential interest in the site.

Motion made by Councillor D. Brown and seconded by Councillor S.E. White to Postpone consideration of clause 4 until after closed session in order to receive legal advice.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

At 8:33 PM His Worship the Mayor places Councillor P. Hubert in the Chair and takes a seat at the Council Board.

At 8:37 PM His Worship the Mayor returns to the Chair and Councillor P. Hubert takes his seat at the Council Board.

At 9:14 PM His Worship the Mayor places Councillor P. Hubert in the Chair and takes a seat at the Council Board.

At 9:17 PM His Worship the Mayor returns to the Chair and Councillor P. Hubert takes his seat at the Council Board.

5. Changes to Council Policies 28(1) and 28(2) Travel and Expenses and Council Members' Expense Account

That, on the recommendation of the City Treasurer, Chief Financial Officer, with the concurrence of the City Clerk, the following actions be taken with respect to travel and business expenses as well as the Council Members' Expense Account:

- a) the attached revised proposed by-law (Appendix "B") BE INTRODUCED at the Municipal Council meeting on April 10, 2012 to repeal and replace Council Policy 28(2) entitled "Council Members' Expense Account" with a new policy; and,
- b) the attached proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting on April 10, 2012 to repeal and replace Council Policy 28(1) entitled "Travel & Expenses Policy" with a new policy entitled "Travel & Business Expense Policy".

Motion made by Councillor S. Orser and seconded by Councillor D.G. Henderson to Amend part (c)(viii) by deleting the part, and replacing with a separate policy allowing individual Councillors to receive a monthly car allowance allocation in the amount of 50% of the Head of Council's monthly allocation, that is separate from the Members' expense account.

Motion Failed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, S. Orser, D.G. Henderson (5)

NAYS: J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (10)

6. 2011 Capital Budget Status - Fourth Quarter Report

That, on the recommendation of the City Treasurer, Chief Financial Officer, the 2011 Capital Budget Status - Fourth Quarter Report BE RECEIVED for information.

7. 2011 Operating Budget Status - Fourth Quarter Report

That, on the recommendation of the City Treasurer, Chief Financial Officer, the following actions be taken with respect to the 2011 Operating Budget Status – 4th Quarter Report for the General (Property Tax Supported), Water and Wastewater Budgets:

- a) the Status Report BE RECEIVED for information; it being noted that the 2011 corporate operating savings resulted from:
 - i) a \$5.9 million in net savings realized from the General (Property Tax Supported) budget as identified by Civic Departments, Boards and Commissions; it being noted that the year-end savings is \$1.3 million higher than what was projected in the 2011 Operating Budget Status - 3rd Quarter Report. The \$5.9 million operating surplus was contributed to the Operating Budget Contingency Reserve, consistent with Council resolution;
 - ii) a \$0.8 million deficit in the Water rate supported budget was realized primarily as a result of lower than anticipated water consumption. This year end deficit is \$ 0.7 million greater than the \$0.1 million deficit reported in the 2011 Operating Budget Status – 3rd Quarter Report. The \$0.8 million operating deficit was offset by a revenue draw from the Water Capital Reserve Fund, consistent with Council resolution. As a result of this draw, the 2012 to 2021 water capital

budget and plan will be amended; and

- iii) a \$0.1 million deficit in the Wastewater rate supported budget primarily as a result of higher than anticipated operational expenditures in Sewer Operations. The realized year end deficit is an approximate \$1.1 million change from the projected \$1.0 million surplus reported in the in 2011 Operating Budget Status – 3rd Quarter Report. The \$0.1 million operating deficit was offset by draw down from the Wastewater Rate Stabilization Reserve, consistent with Council resolution.
- b) the Civic Administration BE AUTHORIZED to draw down from the Operating Budget Contingency Reserve \$ 5.9 million as follows:
- i) \$ 4.6 million to contribute to the Economic Development Reserve Fund in order to provide a funding source for investments in community initiatives as outlined as part of the City of London's Investment and Economic Prosperity Plan;
 - ii) \$ 1.0 million to be contributed to a Technology Services Reserve Fund to provide for a source of funding in order to invest in information technology as set out in the City of London Information Technology Strategy that was received by Municipal Council back in January;
 - iii) \$ 0.3 million be allocated back to the London & Middlesex Housing Corporation (LMHC) recognizing that during 2012 budget deliberations, LMHC reduced their 2012 budget request from the City of London provided that they could utilize prior year savings; and
 - iv) \$5,854 be allocated to the London Advisory Committee on Heritage (LACH) and \$1,000 be allocated to the Trees and Forests Advisory Committee (TFAC) in 2012 based on requests received and approved by Council for one-time funding initiatives.
- c) the Civic Administration's contribution of \$1,406,803 (\$1,272,784 – property tax supported; \$117,364 – wastewater; and \$16,655 – water) to the Efficiency, Effectiveness, and Economy reserves in 2011 **BE NOTED**;

it being understood that the above amounts are subject to the year-end Financial Statement audit and adjustments related to the accounting for Tangible Capital Assets (PSAB 3150).

Motion made by Councillor N. Branscombe and seconded by Councillor J.L. Baechler to Amend clause 7 b)i) – to indicate that of the \$4.6 million, \$2.3 million would go to debt reduction and \$2.3 million would go to the Economic Development Reserve Fund

Motion Failed

YEAS: W.J. Armstrong, J.L. Baechler, N. Branscombe, J.P. Bryant (4)

NAYS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, S.E. White (11)

Motion made by Councillor H.L. Usher and seconded by Councillor D.G. Henderson to Amend clause 7 b)i) - to allocate \$1 million to the Affordable Housing Reserve Fund; with the remaining \$3.6 million being allocated to the Economic Development Fund.

Motion Passed

YEAS: W.J. Armstrong, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, H.L. Usher, J.P. Bryant (8)

NAYS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, P. Van Meerbergen, D. Brown (6)

The motion to Approve clauses 1 to 7, excluding clause 4, is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (14)

NAYS: H.L. Usher (1)

Pursuant to section 17.2 of the Council Procedure By-law, Councillor M. Brown calls for a separate vote on clause 8.

Motion made by Councillor P. Hubert to Approve clause 8.

8. Elected Officials and Appointed Citizen Members - 2012 Remuneration

That, on the recommendation of the City Treasurer, Chief Financial Officer and the City Clerk, the following actions be taken with respect to the 2012 remuneration for Elected Officials and appointed citizen members of local boards and commissions where stipends are paid:

- a) it BE NOTED that the remuneration for 2012 will be adjusted by 3.1% over 2011, in keeping with Council policy 5(32), which provides for the salaries and honorariums of elected officials and appointed citizen members of local boards and commissions where stipends are paid to be adjusted "...annually on January 1st by the percentage increase reflected in the Labour Index (monthly Index, Table 3), on the understanding that if such an index reflects a negative percentage, the annual adjustment to the salaries of the elected officials and appointed citizen members will be 0%; and on the further understanding that if the Labour Index (monthly Index, Table 3) has increased by a percentage greater than the Consumer Price Index, Ontario, the annual percentage increase in the salaries and honorariums of the elected officials and appointed citizen members will be no greater than the increase in the Consumer Price Index, Ontario; it being understood that in 2012 wages were not frozen for non-union employees; and
- b) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on April 10, 2012 to amend Council Policy 5(32) entitled "Remuneration for Elected Officials and Appointed Citizen Members" to incorporate the January 24, 2011 direction of Council, arising from the recommendations of the 2010 Council Compensation Review Task Force, whereby the escalator for annual adjustment purposes shall not be applied in those years where the non-union staff wages are frozen, and to correct the policy number reference contained in the by-law.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, P. Hubert, D.G. Henderson, H.L. Usher, J.P. Bryant (11)

NAYS: M. Brown, P. Van Meerbergen, D. Brown, S.E. White (4)

Motion made by Councillor P. Hubert to Approve clauses 9 to 15.

9. London Downtown Business Association - 2012 Proposed Budget -
Municipal Special Levy

That, on the recommendation of the Deputy City Treasurer, the following actions be taken with respect to the 2012 proposed budget and municipal special levy for the London Downtown Business Association:

- a) the London Downtown Business Association (LDBA) proposed 2012 budget submission in the amount of \$881,325 BE APPROVED as outlined in attached Schedule A;
- b) the amount to be raised by the Corporation for the 2012 fiscal year for the purposes of the London Downtown Business Association and pursuant to subsection 208(1) of the Municipal Act, 2001 BE FIXED at \$933,025 (which accounts for \$850,025 for the City of London levy as required by the LDBA to help support its 2012 budget and an estimated allowance of \$83,000 to provide for vacancy rebates);
- c) a special charge BE ESTABLISHED for the amount referred to in section 2 above by a levy in accordance with By-law CP-2 as amended; it being noted that the said special charges shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the Municipal Act, 2001;
- d) the attached proposed by-law (Schedule C) BE INTRODUCED at the Municipal Council meeting on April 10, 2012 with respect to municipal special levy for the London Downtown Business Improvement Area.

10. Old East Village Business Improvement Area - 2012 Proposed Budget - Municipal Special Levy

That, on the recommendation of the Deputy City Treasurer, the following actions be taken with respect to the 2012 proposed budget and municipal special levy for the Old East Village Business Improvement Area:

- a) the Old East Village Business Improvement Area (OEV BIA) proposed 2012 budget submission in the amount of \$387,990 BE APPROVED as outlined in attached Schedule A;
- b) the amount to be raised by the Corporation for the 2012 fiscal year for the purposes of the Old East Village Business Improvement Area and pursuant to subsection 208(1) of the Municipal Act, 2001 BE FIXED at \$15,781 (which accounts for \$14,781 for the City of London levy as required by the OEV BIA to help support its 2012 budget and an estimated allowance of \$1,000 to provide for vacancy rebates);
- c) a special charge BE ESTABLISHED for the amount referred to in Recommendation 2 above by a levy in accordance with By-law CP-1 as amended; it being noted that the said special charges shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the Municipal Act, 2001; and
- d) the attached proposed by-law (Schedule B) BE INTRODUCED at the Municipal Council meeting on April 10, 2012 with respect to municipal special levy for the Old East Village Business Improvement Area.

11. Infrastructure Ontario - 165 Elmwood Avenue East (Normal School)

That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the property located at 165 Elmwood Avenue East (the former Normal School):

- a) Infrastructure Ontario (IO) BE ADVISED of the previous position of Municipal Council (September 21, 2004, as attached to the March 26, 2012 staff report) regarding the "Village Green", noting that this remains the position of the Municipal Council regarding this significant community open space;
- b) Infrastructure Ontario (IO) BE ADVISED that Municipal Council considers the retention of the former Normal School and its re-use in an appropriate manner as important and significant to the City and the Old South community; and
- c) Infrastructure Ontario (IO) BE REQUESTED to provide a minimum of six months for the City to undertake a process to determine possible municipal needs and potential community partners for the appropriate re-use of the Normal School building, and to undertake the due diligence required should the City wish to acquire the Normal School to ascertain the requirements and costs associated with ensuring that the building meets current Building Code and accessibility requirements for possible future public use;

it being noted no funds have been identified for the acquisition of this property.

12. Historical Restoration Flint Cottage Phase 2 - Project No. Z08-PD2324-12 - Tender No. 12-36

That, on the recommendation of the Director, Land Use Planning and City Planner and the Managing Director—Corporate Assets the following actions be taken with respect to the historical restoration flint cottage phase 2:

- a) the bid submitted by Van Boxmeer Construction Co. Ltd., R. R. #1, Elginfield Rd., Lucan, Ontario N0M 2J0 at its tendered price of \$273,850.00 (HST excluded) for the Historical Restoration Flint Cottage Phase 2 BE ACCEPTED; it being pointed out that the bid submitted by Van Boxmeer Construction Co. Ltd., was the lowest bid received and meets the City's specifications and requirements in all areas;
- b) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated March 26, 2012, with respect to this matter;

- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts which are necessary in connection with this project; and
- d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the contractor for the work.

13. ISO Audits and Certification of Election Processes

That, on the recommendation of the City Clerk, the ISO certification of the municipal election process BE DISCONTINUED after this year's certification process.

14. Corporate Human Rights Program Code of Conduct Program and Corporate Training Initiatives as of December 31, 2011

That, on the recommendation of the Chief Human Resources Officer the report dated March 26, 2012 regarding the Corporate Human Rights Program, Code of Conduct Program and Corporate Training Initiatives BE RECEIVED for information purposes.

15. Property Disposition - 567 Rosecliffe Terrace - Block 66 and 73, Plan 33M-119

That, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager Realty Services, with respect to the vacant, City-owned land known as 567 Rosecliffe Terrace, legally described as Blocks 66 and 73, Plan 33M-119, measuring approximately 20m x 38m and containing an area of 760 square meters, as shown on Schedule "A" attached, the following actions be taken:

- a) Block 73, Plan 33M-119, BE DECLARED SURPLUS, and the subject lands BE TRANSFERRED to Drewlo Holdings Limited (the corporate successor of Ardshell Limited), pursuant to a Subdivision Agreement, registered as Instrument Number 75277 dated July 24, 1984; and
- b) Block 66, Plan 33M-119, BE DECLARED SURPLUS, and the subject lands BE TRANSFERRED to the adjoining land owner, 1767127 Ontario Limited, for a nominal sum of \$2.00.

At 9:50 PM Councillor H.L. Usher leaves the meeting.

The motion to Approve clauses 9 to 15 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (14)

NAYS: (0)

At 9:55 PM Councillor H.L. Usher enters the meeting.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor N. Branscombe calls for a separate vote on clause 16.

16. Westminster Outdoor Pool and Bathhouse Upgrades - Project No. PRK098-RC2201-12 - Tender No. 12-02

That, on the recommendation of the Managing Director – Corporate Assets, with respect to the Westminster outdoor pool and bathhouse upgrades, the following actions be taken:

- a) the bid submitted by Norlon Builders London Limited, 151 York Street, London Ontario, N6A 1A8 at its tendered price of \$1,746,500.00 (HST excluded) for the Westminster Outdoor Pool & Bathhouse Upgrades BE ACCEPTED; it being pointed out that the bid submitted by Norlon Builders London Limited was the lowest bid received and meets the City's specifications and requirements in all areas;
- b) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated March 26, 2012, with respect to this matter;

- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts which are necessary in connection with this project;
- d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the contractor for the work; and
- e) future additional annual operating costs of \$5,000 BE APPROVED as a first priority from available assessment growth in 2013 subject to final budget approval.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (14)

RECUSE: N. Branscombe (1)

Councillor P. Hubert moves that clauses 17 to 26 be Approved.

17. Property Acquisition - 121 Briscoe Street West - Briscoe Wood Parkland

tion to Approve That, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager Realty Services, with respect to the vacant property owned by Peter Brander Inc., In Trust, municipally known as 121 Briscoe Street West, the Civic Administration BE AUTHORIZED to take the following actions:

- a) accept the offer submitted by Peter Brander Inc., In Trust, to sell to the City land municipally known as 121 Briscoe Street, located on the north side of Briscoe Street West, further described as Lot 520, Plan 488, containing an area of approximately 4,795 square feet, for the purpose of the addition of parkland to the City's Briscoe Woods, for the nominal sum of \$2.00, subject to the following condition:
 - i) the City being given thirty (30) days to investigate the soil and environmental conditions of the subject property; and
- b) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012 to approve this acquisition and to authorize the Mayor and City Clerk to execute the Agreement of Purchase and Sale.

18. Request for Proposal 11-20 Hewlett-Packard - Value Added Reseller

That, on the recommendation of the Chief Technology Officer with the concurrence of the City Manager, the following actions be taken, subject to contract approval, for a three (3) year term, with an optional for two (2) additional one (1) year extensions, with respect to the supply of Hewlett-Packard (HP) Personal Computers (PCs), Laptops, Printers, Enterprise Servers and Data Storage:

- a) the proposal submitted by OnX Enterprise Solutions Ltd., 231 Shearson Crescent, Suite 204, Cambridge, ON N1T 1J5 to provide HP Value Added Reseller (VAR) Distributor services BE ACCEPTED;
- b) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this matter;
- c) the Approvals hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order relating to the subject matter of this approval; and
- d) the Mayor and City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations.

19. Cellular Services

That, on the recommendation of the Chief Technology Officer, with the concurrence of the City Manager, the following actions be taken with respect to the provisioning of Cellular services for The Corporation of the City of London:

- a) the Civic Administration BE AUTHORIZED to enter into a formal Request for Tender

(RFT), for cellular services; (1) To perform a market analysis; (2) To enter into a one (1) year contract with up to four; (4) six (6) month extensions provided there are tangible business benefits. (3) To stay month to month if there are no tangible business benefits in moving with fixed term contract;

- b) the Civic Administration BE AUTHORIZED to undertake all the necessary administrative acts in connection with this matter, including the execution of an Agreement; and
- c) the approval of clause b) above BE CONDITIONAL upon the Corporation negotiating satisfactory prices, terms and conditions with the contract award to the satisfaction of the Chief Technology Officer and the Manager of Purchasing and Supply.

20. Amendments to Fees and Charges By-law A-42 Display Fireworks Permit/Inspection Fees and Parking Fees

That the following actions be taken with respect to fees and charges:

- a) the attached revised proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting on April 10, 2012 to amend By-law No. A-42 entitled "A by-law to provide for Various Fees and Charges" in order to exclude certain permit fees for display fireworks conducted by the City of London and certain non-for-profit organizations and to incorporate new parking fees approved as part of the 2012 Budget process; it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter; and
- b) the Civic Administration BE REQUESTED to report back to the Finance and Administrative Services Committee on how other churches might be exempted from fees and charges for display fireworks.

21. Year 2012 Tax Policy

That, on the recommendation of the City Treasurer, Chief Financial Officer, the following actions be taken with respect to property taxation for 2012:

- a) a by-law be enacted in accordance with Sub-sections 308(4) and 308.1(4) of the Municipal Act, 2001 to set tax ratios in the multi-residential, pipeline and farm property classes as indicated on Schedule G and such attached proposed by-law (Appendix A) BE INTRODUCED at the Council meeting of April 10, 2012;
- b) a by-law be enacted in accordance with Sub-section 308(4) of the Municipal Act, 2001 to set tax ratios in the commercial and industrial property class as indicated in Schedule G of this report; so that tax ratios for these classes are maintained at Provincial thresholds/averages and such attached proposed by-law (Appendix A) BE INTRODUCED at the Council meeting of April 10, 2012;
- c) a by-law be enacted to fully utilize options available in 2012 to exclude properties in capped property classes which have reached current value assessment tax levels or higher in 2011 from being capped again in 2012 and future years and such attached proposed by-law (Appendix B) BE INTRODUCED at the Council meeting of April 10, 2012;
- d) a by-law be enacted in accordance with Section 330 of the Municipal Act, 2001 to claw back a portion of tax decreases in each of the commercial, industrial, and multi-residential classes sufficient to fully finance the capping of increases as required under Section 329 of the Municipal Act, 2001 and such attached proposed by-law (Appendix C) BE INTRODUCED at the Council meeting on April 10, 2012;
- e) a by-law be enacted in accordance with Section 329.1 of the Municipal Act, 2001 for 2012 to adopt the same capping formulae for the commercial, industrial and multi-residential property classes as was applicable in 2011 and such attached proposed by-law (Appendix D) BE INTRODUCED at the Council meeting on April 10, 2012; and
- f) a phase-in program for tax changes resulting from the reassessment of properties in the residential, farmland, and managed forests property classes in accordance with Section 318 of the Municipal Act, 2001 not be adopted;

it being noted that the Finance and Administrative Services Committee heard a verbal presentation from the City Treasurer, Chief Financial Officer with respect to this matter.

22. Sponsorship of Southwest Economic Alliance (SWEA)

That, on the recommendation of the Director of Intergovernmental and Community Liaison, a City of London sponsorship contribution of \$5,000 to the 2012 Southwest Economic Alliance BE APPROVED, it being noted that this expenditure can be accommodated within existing budget of the City Manager's Office, and that this will be combined with a London Economic Development Corporation (LEDC) contribution of \$5,000 for a "Gold" sponsorship status; it being noted that the Finance and Administrative Services Committee heard the attached presentation from S. Lavoie, Southwest Economic Alliance.

23. National Board of Directors - Federation of Canadian Municipalities

That the following resolution BE ADOPTED by the Municipal Council with respect to the attached communication dated March 12, 2012 from Councillor Usher:

FEDERATION OF CANADIAN MUNICIPALITIES (FCM) –
ELECTION TO THE NATIONAL BOARD OF DIRECTORS

WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction;

WHEREAS FCM's National Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the prestige required to carry the municipal message to the federal government; and

WHEREAS the 75th FCM Annual Conference is from June 1 to 4, 2012, during which the Annual General Meeting will be held and followed by the election of FCM's National Board of Directors;

BE IT RESOLVED that Council of The Corporation of the City of London endorse Councillor Harold Usher to stand for election on the FCM's National Board of Directors for the 2012/2013 term; and

BE IT FURTHER RESOLVED that Council assume all costs associated with Councillor Harold Usher attending FCM's Board of Directors meetings, during the 2012/2013 term.

24. Advisory Committee Appointment Extension

That, on the recommendation of the City Clerk, the term for current advisory committee appointments be extended until such time as new appointments have been made under the revised Terms of Reference and Policies for the Advisory Committees.

25. Standing Committee Expenses – Federation of Canadian Municipalities
– Councillor J.L. Baechler

That subject to the approval of her application to serve on the Federation of Canadian Municipalities (FCM) Standing Committee(s), Councillor Baechler BE AUTHORIZED to attend the FCM Standing Committee meetings from September 5 to 8, 2012, Laval, Quebec; from November 20 to November 23, 2012 Ottawa, Ontario; and from March 6 to 9, 2013, Prince George, British Columbia and the Annual General Meeting to be held May 31, to June 3, 2013, Vancouver, British Columbia; and that she BE REIMBURSED for her associated expenses outside of her annual expense allocation subject to the annual budget approval process, and in accordance with Council's Travel & Expense Policy.

26. Enquiry – Councillor Hubert – Contingency – Taxpayer Appeals

That the City Treasurer, Chief Financial Officer BE REQUESTED to report back at a future meeting of the Finance and Administrative Services Committee regarding an appropriate contingency for taxpayer appeals.

The motion to Approve clauses 17 to 26 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (14)

NAYS: (0)

6th Report of the Civic Works Committee
Councillor H.L. Usher presents.

Motion made by Councillor H.L. Usher to Approve clauses 1 to 5.

1. Disclosures of Pecuniary Interest

No pecuniary interests were disclosed.

2. 4th Report of the Transportation Advisory Committee

That the 4th Report of the Transportation Advisory Committee, from its meeting held on March 6, 2012, BE RECEIVED.

3. Stewardship Ontario Funding of the City's Household Special Waste Program

That, on the recommendation of the Director, Environment, Fleet and Solid Waste, the attached proposed by-law (Appendix A) BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012, to approve amendments to the agreement with Stewardship Ontario to fund a portion of the City's Household Special Waste Program. (2012-L03-00)

4. Road Widening Policy

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012, for the purpose of amending the Council Policy 25(2) entitled "Land Dedication" in order to reflect the amendments to the Official Plan in OPA 438.

5. Appointment of Consulting Engineer for Engineering Services for Functional, Detailed Design and Tender Document Preparation for Green Valley Storm/Drainage & Stormwater Management Remediation Works (ES2462)

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the appointment of a consultant for the functional, detailed design and tender document preparation for the Green Valley storm/drainage and Stormwater Management (SWM) remediation works (ES2462):

- a) Delcan Corporation, 1069 Wellington Road South, Suite 214, London, Ontario, N6E 2H6, BE APPOINTED the consulting engineers for the above-noted project in the amount of \$158,396, including contingency and excluding H.S.T., in accordance with Section 15, Clause 15.2(d) of the Procurement of Goods and Services Policy; it being noted that upon successful completion of the functional and detailed design work the City anticipates recommending the award of the construction supervision and administration portion of the project to this consultant;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report provided as Appendix "A" to the associated staff report, dated April 2, 2012;
- c) the consulting fees for the project identified in a), above, BE IN ACCORDANCE with the estimate on file, which are based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers;
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2012-A03-00)

The motion to Approve clauses 1 to 5 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

Motion made by Councillor H.L. Usher to Approve clauses 6 and 7.

6. Emergency Repair-Greenway 4 Final

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to section 14.2 of the Procurement of Goods and Services Policy and the emergency repair of the section three, number four final clarifier at the Greenway Wastewater Treatment Plant (Project ES5084):

- a) the final price of \$88,494.99, excluding H.S.T., for the repair, as submitted by Yarmouth Crane Service, 9462 Tower Road, RR#3, St. Thomas, Ontario, BE ACCEPTED; and,
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report provided as Appendix "A" to the associated staff report, dated April 2, 2012. (2012-W06-00)

7. Single Source Purchase and Installation of River Level Monitoring Gauges

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the purchase and installation of river level monitoring gauges (ES2497):

- a) approval BE GIVEN to enter into negotiations with the Upper Thames River Conservation Authority for the purchase and installation of additional river level gauges;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract or purchase; and,
- c) the approval BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to this matter. (2012-F13-00)

The motion to Approves clauses 6 and 7 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

Motion made by Councillor H.L. Usher to Approve clause 8.

8. Sanitary Servicing Agreement with London District Catholic School Board

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the sanitary servicing for the Regina Mundi College and Catholic Education Centre, Municipal Numbers 5200 and 5250 Wellington Road South, London, Ontario, N6A 4X5:

- a) the attached Partnership Agreement between The Corporation of the City of London and the London District Catholic School Board for sanitary servicing, BE APPROVED; and,
- b) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to this recommendation.

Motion made by Councillor H.L. Usher and seconded by Councillor D. Brown to Amend clause

8 to read:

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012 to:

- a) approve the attached Agreement between The Corporation of the City of London and the London District Catholic School Board for sanitary servicing for the Regina Mundi College and Catholic Education Centre, Municipal Numbers 5200 and 5250 Wellington Road South, London, Ontario, N6A 4X5; and,
- b) authorize the Mayor and the City Clerk to execute the Agreement approved in a), above, and any contract or other documents, if required, to give effect to this Agreement.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

The motion to Approve clause 8, as amended, is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

Motion made by Councillor H.L. Usher to Approve clauses 9 to 19.

At 10:05 PM His Worship the Mayor places Councillor P. Hubert in the Chair and takes a seat at the Council Board.

At 10:10 PM His Worship the Mayor returns to the Chair and Councillor P. Hubert takes his seat at the Council Board.

9. Talbot Street Brick Sewer Rehabilitation ES2523, ES2693

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the contract award for the construction of the Talbot Street Brick Sewer Rehabilitation (ES2523 and ES2693):

- a) the proposal submitted by Liqui-Force Services, 2015 Spinks Drive, Kingsville, Ontario, at its price of \$1,512,451.25, excluding H.S.T., for the construction of the Talbot Street Brick Sewer Rehabilitation BE ACCEPTED; it being noted that Liqui-Force Services was the only contractor to respond to a Request for Proposal and their submission meets the City's specifications and requirements in all areas;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report provided as Appendix "A" to the associated staff report, dated April 2, 2012;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project; and,
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and for the work to be done relating to this project. (2012-W10-00)

10. Contract Extension Sewer Liners - Cured in Place Pipe (CIPP) (Tender 11-36)

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the supply and installation of sewer liners, Cured in Place Pipe (CIPP):

- a) the contract with Insituform Technologies Limited, 3 Burford Road, Hamilton, Ontario, L8C 3C6, for the supply and installation of sewer liners, BE EXTENDED for one year, with a total value of \$2,650,000, excluding H.S.T., beginning April 11, 2012 to March 31, 2013;
- b) the funding for this purchase BE APPROVED as set out in the Sources of Financing Report provided as Appendix "A" to the associated staff report, dated April 2, 2012;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this service contract; and,
- d) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval. (2012-W10-00)

11. 2012 Infrastructure Lifecycle Renewal Program Contract # 4 Glebe, Lyle and Hewitt Street Reconstruction (Tender 12-04)

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the 2012 Infrastructure Lifecycle Renewal Program, Contract # 4, for the Glebe Street, Lyle Street and Hewitt Street reconstruction project (EW3765-12, ES2414-12, TS4067-11):

- a) the bid submitted by Bre-Ex Limited, 247 Exeter Road, London, Ontario, N6L 1A5, at its tendered price of \$1,329,517.40, excluding H.S.T., for the 2012 Infrastructure Lifecycle Renewal Program, Contract # 4, BE ACCEPTED; it being noted that the bid submitted by Bre-Ex Limited was the lowest of five bids received and meets the City's specifications and requirements in all areas;
- b) Delcan Corporation, 1069 Wellington Road South, Suite 214, London, Ontario, N6E 2H6, BE AUTHORIZED to carry out the resident inspection and the contract administration for the said project in accordance with the estimate on file, at an upset amount of \$158,027.10, excluding H.S.T.; it being noted that this firm completed the engineering design, based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers, and in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;
- c) minor future additional annual operating costs of \$2,000.00 BE RECOGNIZED as a result of this project; it being noted that these costs are a result of new infrastructure installation and will be considered and accommodated within future Wastewater and Treatment operating budgets;
- d) the financing for this project BE APPROVED as set out in the Sources of Financing Report provided as Appendix "A" to the associated staff report dated April 2, 2012 ;
- e) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- f) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 12-04); and,
- g) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2012-S08-00)

12. 2012 Infrastructure Lifecycle Renewal Program Contract # 6: St. George and Sydenham Street Reconstruction (Tender 12-08)

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the contract award for the 2012 Lifecycle Renewal Program, Contract #6 for the St. George Street and Sydenham Street Reconstruction Project (ES2414-12, EW3765-12):

- a) the bid submitted by Omega Contractors Inc. (Omega), 4104 Breck Avenue, London Ontario, N6L 1B5, at its tendered price of \$1,647,266.90, excluding H.S.T., for the 2012 Infrastructure Lifecycle Renewal Program, Contract #6 project, BE ACCEPTED; it being

noted that the bid submitted by Omega was the lowest of ten bids received and meets the City's specifications and requirements in all areas;

- b) AECOM Canada Ltd., 410 – 250 York Street, Citi Plaza, London, Ontario, N6A 6K2, BE AUTHORIZED to carry out the resident inspection and the contract administration for the said project in accordance with the estimate, on file, at an upset amount of \$149,935.50, excluding H.S.T.; it being noted that this firm completed the engineering design, based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers, and in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;
- c) minor future additional annual operating costs of \$600.00 BE RECOGNIZED as a result of this project, it being noted that these costs are a result of new infrastructure installation and will be considered and accommodated within future Wastewater and Treatment operating budgets;
- d) the funding for this project BE APPROVED as set out in the Sources of Financing Report provided as Appendix "A" to the associated staff report, dated April 2, 2012;
- e) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- f) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project; and,
- g) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2012-S08-00)

13. 2012 Arterial Road Rehabilitation Contract (Tender 12-13)

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the 2012 Arterial Road Rehabilitation (TS1446-12):

- a) the bid submitted by Dufferin Construction Company, P.O. Box 189, 2200 Jetstream Road, London, Ontario, N6A 4V7, at its submitted tendered price of \$7,795,804.00, excluding H.S.T., for the 2012 Arterial Road rehabilitation, BE ACCEPTED; it being noted that the bid submitted by Dufferin Construction Company was the lowest of two bids received and meets the City's specifications and requirements in all areas; it being further noted that there is no anticipated additional operating costs to the Planning and Environmental and Engineering Services budget in 2013 and subsequent years associated with approval of this tender;
- b) the funding for this project BE APPROVED as set out in the Sources of Financing Report provided as Appendix "A" to the associated staff report, dated April 2, 2012;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations; and,

it being noted that the Civic Works Committee heard a verbal delegation from J. MacDonald, Executive Director, Downtown London, with respect to this matter. (2012-S08-00)

14. Contract 2A: Stanley Street Pumping Station Construction Project ES2414/ES5084-11 (Tender 12-16)

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the contract award for the Stanley Street Sanitary Pumping Station construction project

(ES2414/ES5084-11):

- a) the bid submitted by Hayman Construction Inc. (Hayman), 636 Wellington Street, London, Ontario, N6A 3R9, at its tendered price of \$962,700.00, excluding H.S.T., for the construction of the new Stanley Street Sanitary Pumping Station BE ACCEPTED; it being noted that the bid submitted by Hayman was the lowest of four bids received and meets the City's specifications and requirements in all areas;
- b) Dillon Consulting Limited (Dillon), 130 Dufferin Avenue, Suite 1400, London, Ontario, N6A 5R2, BE AUTHORIZED to complete the remainder of the design and carry out the resident inspection and the contract administration for the said project, in accordance with the estimate, on file, at an upset amount of \$180,459.40, excluding H.S.T.; it being noted that this firm completed the Environmental Assessment (EA) and the engineering design, based upon the Fee Guideline for Professional Engineering Services recommended by the Ontario Society of Professional Engineers, and in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;
- c) minor additional annual operating costs of \$5,000.00 BE RECOGNIZED as a result of this project; it being noted that these costs are due to new infrastructure installation and will be considered and accommodated within future Wastewater and Treatment operating budgets;
- d) the funding for this project BE APPROVED as set out in the Sources of Financing Report provided as Appendix "A" to the associated staff report, dated April 2, 2012;
- e) the Chief Surveyor BE DIRECTED to initiate the process to legally close the easterly 50 metres of Becher Street that is no longer travelled, and to initiate the process to dedicate and name the easterly 70 metres of Becher Street that is publically travelled, thus resulting in the realignment of the east end of Becher Street;
- f) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project, and, in the event that the Committee of Adjustment denies the Minor Variance application, the Civic Administration BE DIRECTED to appeal the decision;
- g) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project; and,
- h) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2012-W07-00)

15. Mornington Pond Sediment Removal ES2532 (Tender 12-19)

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the construction of the Mornington Pond sediment removal:

- a) the tender submitted by Ro-Buck Contracting Limited, 2326 Fanshawe Park Road East, London, Ontario, at its price of \$224,246.00, excluding H.S.T., for the construction of the Mornington Pond sediment removal BE ACCEPTED; it being noted that bid submitted by Ro-Buck Contracting Limited, was the lowest of six bids received and meets the City's specifications and requirements in all areas;
- b) the funding for this project BE APPROVED as set out in the Sources of Financing Report provided as Appendix "A" to the associated staff report, dated April 2, 2012;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project; and,
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to these projects. (2012-W10-02)

16. Supply, Delivery and Installation of 2012 Spring Infill Street Trees (Tender 12-31)

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the supply, delivery and installation of 2012 spring infill street trees:

- a) the tenders submitted by the following companies BE ACCEPTED:

Section 1 – Area 1 – Klomps Landscaping Inc., 2963 Road, 119, R.R. #7, St. Mary's, Ontario, N4X 1C9, at a tendered contract price of \$212,589.00, excluding H.S.T.; it being noted that Klomps Landscaping Inc. was the lowest of seven bids received in Section 1 and meets all the terms, conditions and specifications;

Section 2 – Areas 2, 3 and 4 – Emission Tree, 21748 Springfield Road, Melbourne, Ontario, N0L 1T0, at a tendered contract price of \$195,706.00, excluding H.S.T.; it being noted that Emission Trees was the lowest of six bids received in Section 2 and meets all the terms, conditions and specifications;

Section 3 – Various Properties throughout the City of London – Kamarah Tree Farms, 196312, 19th Line, R.R. #1, Lakeside, Ontario, N0M 2G0, at a tendered contract price of \$160,380.00, excluding H.S.T.; it being noted that Kamarah Tree Farms was the lowest of five bids received in Section 3 and meets all the terms, conditions and specifications;

- b) the funding for this purchase BE APPROVED as set out in the Sources of Financing Report provided as Appendix "A" to the associated staff report, dated April 2, 2012;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract; and,
- d) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order relating to the subject matter of this approval. (2012-E05-00)

17. Sunninghill Sanitary Pumping Station Upgrades Project ES5151 (Tender 12-32)

That, on the recommendation of the Acting Executive Director Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Sunninghill Sanitary Pumping Station upgrades:

- a) the bid submitted by Baseline Constructors Inc., 550 Conestoga Road, Waterloo, Ontario, N2L 4E3, at its tendered price of \$842,850.00, excluding H.S.T., for the construction of the Sunninghill Sanitary Pumping Station upgrades BE ACCEPTED; it being noted that the bid submitted by Baseline Constructors Inc. was the lowest of 4 bids received and meets the City's specifications and requirements in all areas;
- b) the funding for this project BE APPROVED as set out in the Sources of Financing Report provided as Appendix "A" to the associated staff report, dated April 2, 2012;
- c) AECOM Canada Ltd. BE AUTHORIZED to carry out the resident inspection and the contract administration for the said project in accordance with the estimate, on file, at an upset amount of \$136,862.00, excluding H.S.T., and including a 10% contingency; it being noted that this firm completed the engineering design, based upon the Fee Guideline for Professional Engineering Services recommended by the Ontario Society of Professional Engineers, and in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project; and,
- e) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to the subject matter of this approval. (2012-W07-00)

18. Dingman Creek Pumping Station Upgrades Project ES5143 (Tender 12-35)

That, on the recommendation of the Acting Executive Director Planning, Environmental and

Engineering Services and City Engineer, the following actions be taken with respect to the Dingman Creek Pumping Station upgrades:

- a) the proposal submitted by Bre-Ex Limited, 247 Exeter Road, London, Ontario, N6L 1A5, at its price of \$285,796.17, excluding H.S.T., for the installation of Dingman Creek Pumping Station upgrades BE ACCEPTED; it being noted Bre-Ex Limited was the lowest of three bids received and meets all the terms, conditions and specifications;
- b) the funding for this project BE APPROVED as set out in the Sources of Financing Report provided as Appendix "A" to the associated staff report, dated April 2, 2012;
- c) Stantec Consulting BE AUTHORIZED to carry out the resident inspection and the contract administration for the said project in accordance with the estimate, on file, at an amount of \$29,588.00, excluding H.S.T.; it being noted that this firm completed the design, based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers, and in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project; and,
- e) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the work to be done relating to this project. (2012-W07-00)

19. Contract Award for the Springbank Reservoir # 2 Rehabilitation Project No. EW3617 (Tender 12-52)

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Spingbank Reservoir #2 rehabilitation project.

- a) the bid submitted by Layfield Environmental Systems Ltd., 11603 -180 Street, Edmonton, Alberta, T5S 2H6, at its corrected tendered price of \$769,868.29, excluding H.S.T., for the Springbank Reservoir #2 rehabilitation project, BE ACCEPTED; it being noted that Layfield Environmental Systems Ltd. was the lowest of two bids received and meets the City's specifications and requirements in all areas;
- b) R.V. Anderson Associates Limited, 557 Southdale Road East, London, Ontario, N6E 1A2, BE AUTHORIZED to carry out the resident inspection and the contract administration for the said project in accordance with the estimate, on file, at an upset amount of \$82,010.00, excluding H.S.T.; it being noted that this firm completed the engineering design, based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers, and in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;
- c) the financing for this project BE APPROVED as set out in the Sources of Financing Report attached hereto as Appendix "A";
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- e) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 12-52); and,
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations.

The motion to Approve clauses 9 to 19 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

Motion made by Councillor H.L. Usher and seconded by Councillor S. Orser to Approve that pursuant to section 13 of the Council Procedure By-law, the actions of the Municipal Council taken at its meeting of February 21 and 22, 2012, relating to the adoption of the 2012 Operating Budget for the services within Transportation Services, Page 310 - Parking Service Grouping Overview, with respect to the operation of downtown on-street parking meters in the evenings and the resulting additional revenue of \$85,000, with a full year impact of \$100,000 in future years, BE RECONSIDERED as it relates to part a) of clause 20.

Motion Failed

YEAS: B. Polhill, J.B. Swan, S. Orser, N. Branscombe, H.L. Usher, J.P. Bryant (6)

NAYS: J.F. Fontana, W.J. Armstrong, J.L. Baechler, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, S.E. White (9)

Motion made by Councillor H.L. Usher and seconded by Councillor J.P. Bryant to Approve that pursuant to section 13 of the Council Procedure By-law, the actions of the Municipal Council taken at its meeting of February 21 and 22, 2012, relating to the adoption of the 2012 Operating Budget for the services within Transportation Services, Page 310 - Parking Service Grouping Overview, with respect to the operation of downtown on-street parking meters in the evenings and the resulting additional revenue of \$85,000, with a full year impact of \$100,000 in future years, BE RECONSIDERED as it relates to part b) of clause 20.

Motion Passed

YEAS: B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (12)

NAYS: J.F. Fontana, P. Hubert, H.L. Usher (3)

20. Amendments to the Traffic and Parking By-Law Related to New Parking Fees

That, notwithstanding the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the amendments to the Traffic and Parking By-law related to the new parking fees:

- a) the on-street hourly parking rate BE INCREASED by \$0.50 and that the on-street hourly parking rate for the Old East Village NOT BE INCREASED; it being noted that there has been no change to the hourly parking rate since 1996;

(Secretary Note: a reconsideration of the Fees and Charges By-law will require the approval of two-thirds of the whole Council to increase the on-street hourly parking rate)

- b) NO ACTION BE TAKEN with respect to the paid evening on-street parking; and,
- c) a Public Participation Meeting BE HELD at the appropriate Standing Committee to hear from the public with respect to the proposed changes to Traffic and Parking By-law related to the new parking fees; and,

it being noted that the Civic Works Committee heard a verbal delegation from J. MacDonald, Executive Director, Downtown London, with respect to this matter. (2012-S09-00)

Councillor W.J. Armstrong leaves the meeting at 10:41 PM.

Motion made by Councillor D. Brown and seconded by Councillor S. Orser to Amend part b) of clause 20 to read as follows:

That NO ACTION BE TAKEN to implement new paid on-street evening parking at this time.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (14)

Motion made by Councillor H.L. Usher, seconded by Councillor D. Brown, to delete part c) of

clause 20 as it is redundant.

Motion Passed

The motion to adopt clause 20, as amended, is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (13)

NAYS: H.L. Usher (1)

Motion made by Councillor H.L. Usher to Approve clauses 21 to 30.

Councillor W.J. Armstrong enters the meeting at 10:45 PM.

At 10:45 PM His Worship the Mayor places Councillor M. Brown in the Chair and leaves the meeting.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor S.E. White calls for a separate vote on clause 21.

21. Single Source Pay & Display Parking Meters

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the pay and display parking meters:

- a) the approval hereby BE GIVEN to enter into negotiations for the purchase of pay and display parking meters for a 3-year period with Cale Systems Inc, 21 Hartsville Avenue, Toronto, Ontario, in accordance with the Procurement of Goods and Services Policy, Section 14.4 Single Source, Clauses (d) and (e);
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract;
- c) the approval hereby given BE CONDITIONAL upon the Corporation negotiating satisfactory prices, terms and conditions with Cale Systems Inc. to the satisfaction of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer;
- d) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order relating to the subject matter of this approval; and,
- e) the funding for this project BE APPROVED as set out in the Sources of Financing Report provided as Appendix "A" to the associated staff report, dated April 2, 2012.

The motion to Approve clause 21 is put.

Motion Passed

YEAS: B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (14)

NAYS: J.F. Fontana (1)

22. Amendments to the Traffic and Parking By-Law - Perry Street and Horn Street and Queens Avenue

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the attached proposed by-laws (Appendix "A") and (Appendix "B") BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012, for the purpose of amending the By-law PS-111 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London" for Horn Street, Perry Street and Queens Avenue. (2012-S09-00)

23. Amendments to the Traffic and Parking By-Law - No Stopping, No Parking, Limited Parking and Bus Stops and School Bus Loading Zones

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the attached proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012, for the purpose of amending the Traffic and Parking By-law PS-111, entitled "A by-law to regulate traffic and the parking of motor vehicles in the City of London" as it relates to No Stopping, No Parking, Limited Parking and Bus Stops and School Bus Loading Zones. (2012-S09-00)

24. 2012 Annual Warranted Sidewalk Program (TS1165-12)

That the following actions be taken with respect to the 2012 Annual Warranted Sidewalk Program:

- a) the report dated April 2, 2012, from the Acting Executive Director, Planning and Environmental and Engineering Services and City Engineer, with respect to 2012 Annual Warranted Sidewalk Program BE RECEIVED for information;
- b) the area between Glenroy Road at Pond View Terrace BE REFERRED to the Civic Administration for consideration with the Warranted Sidewalk Program; it being noted that the Civic Works Committee heard a verbal request from Councillor S. White with respect to this matter; and,
- c) the Civic Administration BE REQUESTED to ensure that no trees are removed as part of the proposed construction for Fremont Avenue. (2012-S08-00)

25. Condition Survey Results on Manholes in Major Intersections

That the report dated April 2, 2012, from the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, with respect to the condition survey results on manholes in major intersections, BE RECEIVED for information. (2012-S08-00)

26. Public Information Videos

That the report from the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, with respect to public information videos, BE RECEIVED for information.

27. Dundas Street Watermain Maintenance

That the following actions be taken with respect to the Dundas Street watermain maintenance:

- a) the report dated April 2, 2012, from the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, with respect to the Dundas Street watermain maintenance BE RECEIVED for information; and,
- b) the Downtown Master Plan improvements BE IMPLEMENTED in two to three years, with a report back to the Civic Works Committee on the implementation plan and process. (2012-W13-00)

Motion made by Councillor J.P. Bryant and seconded by Councillor H.L. Usher to Amend clause 27 to add a new part c) requesting the Civic Administration to report back at the April 23, 2012 meeting of the Civic Works Committee with respect to the status of the implementation plan and process report noted in b), above, and details as to proposed sources of financing so that the Downtown Master Plan improvements can be properly planned for in upcoming budgets.

Motion Passed

YEAS: B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (14)

28. Street Renaming Headley Between Oxford Street West and Headley Drive

That, on the recommendation of the Director, Building Controls and Chief Building Official, the following actions be taken with respect street renaming of Headley between Oxford Street West and Headley Drive:

- a) Headley between Oxford Street West and Headley Drive BE RENAMED to Headley Gate, effective May 1, 2012;
- b) the City of London BE REQUIRED to pay for the cost of street signage; and,
- c) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012, to approve the renaming of Headley to Headley Gate; and,

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2012-D17-00)

29. Street Renaming Cedarpark Drive

That, on the recommendation of the Director, Building Controls and Chief Building Official, the following actions be taken with respect the street renaming of Cedarpark Drive:

- a) Cedarpark Drive on Plan 33M-580 BE RENAMED to Guinness Way, effective May 1, 2012;
- b) the City of London BE REQUIRED to pay for the cost of street signage; and,
- c) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 10, 2012, to approve the renaming of Cedarpark Drive to Guinness Way; and,

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2012-D17-00)

30. London Road Safety Strategy

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the development of a Road Safety Strategy for the City of London:

- a) the Terms of Reference for the Road Safety Strategy for the City of London as set out in Appendix 'A' to the Staff report dated April 2, 2012 BE APPROVED;
- b) a budget in the amount of \$200,000, excluding H.S.T., for the development of the Road Safety Strategy BE APPROVED; it being noted that this budget is available within TS4040, Traffic Studies; and,

it being noted that the Civic Works Committee heard the attached presentation from the Manager, Transportation, Planning and Design, with respect to this matter. (2012-S09-00)

The motion to Approve clauses 22 to 26, clause 27, as amended, and clauses 28 to 30 is put.

Motion Passed

YEAS: B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (12)

NAYS: D.G. Henderson, H.L. Usher (3)

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser, to Approve that pursuant to section 13 of the Council Procedure By-law, the actions of the Municipal Council to approve clauses 22 to 26, clause 27, as amended, and clauses 28 to 30 BE RECONSIDERED.

Motion Passed

At 10:51 PM His Worship the Mayor enters the meeting, resumes the Chair and Councillor P. Hubert takes his seat at the Council Board.

The motion to clauses 22 to 26, clause 27, as amended, and clauses 28 to 30 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

Motion made by Councillor H.L. Usher to Approve clauses 31 and 32.

31. Water Conservation and the Future of Water and Wastewater Rates

That the report dated April 2, 2012, from the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, with respect to the future of water and wastewater system and rates in London BE RECEIVED for information; it being noted that the Civic Works Committee heard the attached presentation from the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, and received a communication dated April 2, 2012, from C. Gupta, with respect to this matter.

Motion made by Councillor H.L. Usher and seconded by to Approve clause 31

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant (14)

Motion made by Councillor B. Polhill and seconded by Councillor D. Henderson that pursuant to section 2.4 of the Council Procedure By-law, section 11.10 of the said by-law be suspended for the purpose of permitting the meeting to proceed beyond 11:00 PM.

Motion Passed

32. Fixed Rate for Water and Sanitary Charges

That in accordance with Section 17.6 of the Council Procedure By-law, the attached Staff report related to a fixed rate for water and sanitary charges BE REFERRED to the Municipal Council for its disposition; it being noted that the Civic Works Committee (CWC) was unable to reach a majority decision with respect to this matter. (2012-W10-00/F17-00)

Motion made by Councillor P. Van Meerbergen and seconded by Councillor B. Polhill to Refer clause 32 back to Civic Administration for a report back at a future meeting of the Civic Works Committee with a proposed comprehensive model which would include all phases of implementation of a new rate structure for water and wastewater.

At 11:35 PM His Worship the Mayor places Councillor P. Hubert in the Chair and takes a seat at the Council Board.

At 11:52 PM His Worship the Mayor resumes the Chair and Councillor P. Hubert takes his seat at the Council Board.

Councillor S.E. White leaves the meeting at 11:57 PM.

The motion to Refer clause 32 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher (13)

NAYS: J.P. Bryant (1)

Motion made by Councillor H.L. Usher to Approve clauses 33 and 34.

33. Parking Violations - Roehampton Avenue

That the communication dated March 21, 2012, from Councillor J. Swan, with respect to parking violations on Roehampton Avenue, BE REFERRED to the Civic Administration for

review, and report back to the Ward Councillor. (2012-S04-00)

34. Guardrail on Glanworth Drive

That the communication dated March 13, 2012, from J. and J. Fraser, with respect to a request for a guardrail on Glanworth Drive, BE REFERRED to the Civic Administration for review, and report back to the Ward Councillor.

Motion made by Councillor H.L. Usher and seconded by Councillor B. Polhill to Amend clauses 33 and 34 to reflect the report coming back to the Civic Works Committee, rather than the Ward Councillor.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant (14)

The motion to Approve clauses 33 and 34 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant (14)

6th Report of the Investment and Economic Prosperity Committee
Councillor J.B. Swan presents.

Motion made by Councillor J.B. Swan to Approve clauses 1 – 5.

1. Disclosures of Pecuniary Interest

No pecuniary interests were disclosed.

2. "People in the City" Artwork

That, on the recommendation of the City Treasurer, Chief Financial Officer and the Managing Director – Corporate Assets the report dated March 27, 2012 with respect to the "People in the City" artwork BE RECEIVED for information.

3. Developing Council's Investment and Economic Prosperity Plan

That, on the recommendation of the City Treasurer, Chief Financial Officer and the Director of Corporate Communications, the following actions be taken with respect to the development of Council's Economic and Investment Economic Prosperity Plan and the associated communications plan:

- a) the approach, process, timetable and next steps for the development of a 10-year Plan identified within the attached presentation entitled "Developing Council's Investment and Economic Prosperity Plan", dated March 27, 2012 from the City Treasurer, Chief Financial Officer, BE APPROVED; and,
- b) the next steps for the development of an associated communications plan identified within the presentation entitled "Investment & Economic Prosperity Plan - Communicating the Plan; Engaging the Public", dated March 27, 2012 from the Director of Corporate Communications, BE APPROVED.

4. Housing and the Economy

Motion made by and seconded by to Approve Motion to Approve that the communication dated March 2, 2012 from the London and St. Thomas Association of Realtors, with respect to Housing and the Economy, BE RECEIVED.

5. Tools and Incentives to Attract Businesses to London

That the Civic Administration BE DIRECTED to bring back a report with recommended tools and incentives to attract businesses to London.

Motion Passed

YEAS: J.F. Fontana, W.J. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant (12)

NAYS: S. Orser (1)

4th Report of the Public Safety Committee

Councillor D. Brown presents.

Motion made by Councillor D. Brown to Approve clauses 1 and 2.

1. Disclosures of Pecuniary Interest

No pecuniary interests were disclosed.

2. Public Nuisance By-law

That the following actions be taken with respect to the attached proposed Public Nuisance By-law entitled "A by-law to prohibit and regulate public nuisances within the City of London", in order to address nuisance parties and gatherings;

- a) the Public Safety Committee (PSC) supports in principle the proposed Nuisance By-law;
- b) that the proposed by-law BE REFERRED to a special PSC meeting to be held in May 2012;
- c) the proposed by-law BE REFERRED to Civic Administration and the Town and Gown Committee for further review;
- d) the Near Campus Strategy, including modification of zoning by-law, BE CIRCULATED to Municipal Council and the Town and Gown Committee;
- e) the Civic Administration BE REQUESTED to contact the Ministry of Municipal Affairs and Housing to discuss possible changes to the Planning Act to restrict the number of students per household; and,
- f) the Town & Gown Committee BE REQUESTED to review the possibility of enacting a Student Code of Conduct;

it being noted that the Public Safety Committee heard the attached presentation from the Manager, Bylaw Enforcement, and a verbal delegation from B. Duncan, Chief, and received written submissions from the following, with respect to this matter;

- D. Pellarin, dated April 2, 2012
- E. A. Smuck, dated March 30, 2012
- H. W. Rundle, dated March 30, 2012
- A. Mahon, dated March 29, 2012
- F. Fontaine, dated March 29, 2012
- M. MacLean, dated March 29, 2012
- V. F. Norejko, dated March 22, 2012
- C. Engelmeyer, dated April 1, 2012
- G. Wild & J. Kasperski Wild, dated April 2, 2012
- C. Joles, dated April 2, 2012

it being pointed out that at the public participation meeting associated with this matter, the following individuals made an oral submission in connection therewith;

- Joe Hoffer, Cohen Highley – advising that the London Property Management Association (LPMA) supports the by-law; noting that LPMA has approximately 500 members; advising that the LPMA rents to students and that the vast majority are good tenants; indicating that this is of equal concern to all landlords, as all landlords have an interest in their properties; recommending that the Council seek the ability of the Province to get unpaid fines collected through the issuance/renewal of drivers licenses; advising that a weakness is the prohibition of one or any items such as litter on the lawn; recognizing that the intent is the nuisance parties and indicating that it is

- overreaching as any citizen can call the Police.
- Dennis Pellarin, 1019 Waterloo Street – providing comments as outlined in the attached communication.
- O. Hobson, 43 Evergreen Avenue – expressing opposition to the proposed by-law; indicating that the by-law is being rammed through as a quick fix; advising that it increases the discretionary powers of the police; indicating that the police are the after-hours by-law enforcement already; advising that there should be an honest public review; enquiring as to why the failure happened; indicating that there is no sense of respect, which needs to be taught; requesting a review of the efforts being undertaken; advising that there have been positive initiatives undertaken, such as the public gardens; indicating that the prevention of the behavior should be focused on and advising that this is not a positive by-law.
- Michael, resident of London – suggesting that the preventative measures should be creative; and that partying is the first priority for students, with learning being the second priority.
- Derek McBurney, #4-406 South Street – advising that a loophole of the by-law is that it doesn't determine how to handle a person who doesn't take responsibility and advising that small groups are invited to parties and it gets out of control.
- Pauline House, resident of London – indicating that she lives in Huron Heights, Phase 1 and expressing panic when a for sale sign goes up that her area is next, advising that there should be no tolerance for these instances; advising that the residents are working to engage the students; enquiring as to how this gets controlled so that it doesn't happen; advising that at 3:30 p.m. on St. Patrick's Day, students were throwing cups at cars and pedestrians on Cheapside Street; enquiring as to how to make those responsible pay fines and enquiring as to whether or not a limit on the number of students living in one house can be enforced.
- Dave Jones – enquiring as to who has the authority to order the by-law to be in effect; and enquiring as to what constitutes a party; it being noted that Police Chief Brad Duncan responded to Mr. Jones' enquiries.
- Rene, resident of London – expressing opposition to the by-law; and enquiring why the community has to be punished for the actions of some students.
- Greg Anthony – advising that he is a London Property Management Association member and a real estate representative; advising that 1/3 of the group involved in the March 17th incident were minors; enquiring as to how this by-law addresses minors; and suggesting that parents be held accountable.
- Veronica Barahona, Fanshawe Student Union – advising that this is not a campus issue; advising that the by-law is too immediate and too reactive; recommending that the Town and Gown Committee review this by-law as it targets students.
- Steve, resident of London – indicating that he is a proud Fanshawe College graduate; advising that he delivered a proactive proposal to Fanshawe College, the London Police and Ward Councillors a couple of weeks ago; and enquiring as to why the Liquor Control Board of Ontario is not contacted as to how minors were able to get alcohol.
- Valerie Miretti, resident of London – advising that she lives near the University of Western Ontario and is currently attending Fanshawe College; indicating that the proposed measures are fine and indicating that the citizens are helping.
- Patrick Searle, University of Western Ontario Students Council – advising that students and leaders support the economy; advising that the majority are good students, with a few bad apples; enquiring as to who is responsible for the overflow on someone else's lawn; enquiring as to whether or not the proposed by-law is proactive or reactive and encourage that everyone stand together.
- William Rosas – indicating that the government has gone too far as the by-law restricts freedom; advising that the by-law is too vague; indicating that allowing discretion is too dangerous and that the by-law infringes on civil rights.
- Peter Tamburas – advising that this is an ethical issue and enquiring as to how the incident on Fleming Drive justifies the proposed by-law.
- Rocky Miretti – expressing support for the proposed by-law; advising that the by-law shows accountability; advising that it protects the integrity of the neighborhoods in the community; advising that the number of rental properties is increasing; and suggesting that someone look at repeat complaints about rental properties and address the problem properties.
- Eugene Petroli – enquiring as to whether Police receive advice when a party exceeds fire by-laws; and recommending that students be proactively educated on the fire code and acceptable occupancy.
- Wayne Hargrove, resident of London – expressing support for the proposed by-law; advising that he moved out of Fleming Drive in 2009 because his family feared for their safety; advising that 3 or more people constitutes an unlawful assembly and enquiring as to whether or not you can restrict the use of glass in specific areas.
- Joanna – advising that the by-law is reactive.

- Heather Enger – Hartlet St – indicating that she doesn't understand why these parties are held on the front lawn; advising that she did not see the police on St. Patrick's Day; advising that she is a landlord and lives in the area of her rental property; advising that she has fantastic students and that the rental property is an investment; indicating that she has previously complained to By-law Enforcement about the number of students living in a house; enquiring as to how we enforce 2 and 3 bedroom units being listed as 4 and 5 bedroom units and requesting that the by-law not be rushed through as there is enough power without updating the by-law.
- Darryl Torium – advising that he is a local landlord; indicating that he has had great success with students and they do contribute to the community; advising that this was a few bad apples; advising that he has tenants he has been attempting to evict for the last three months; indicating that he would like to add something to the by-law to give the University of Western Ontario and Fanshawe College the power to penalize, such as withholding grades or expelling students for their behavior.
- Bill Brock – advising that respect needs to be given from both sides; advising that Civil unrest is not a reason to riot or defy authority; advising that this is off-campus authority; indicating that a solution would be for Fanshawe College to buy up the area properties and control the housing; and requesting the the community be given more time for dialogue.
- Brian Gibson – advising that he lives in Ward 2; enquiring as to whether or not landlords can be encouraged to self-police their own property; advising that there is a need to address the event spillover onto other properties; encouraging more public participation with the students and the community; advising that there is always more that can be done and recommending that healthy activities for students be encouraged.
- Edgar Allen Smuck, 928 Western Road – presenting information included on the Public Safety Committee Added Agenda.
- Amanda Alison – advising that she is a Fanshawe College graduate; indicating that social media invites everyone to a party; and enquiring as to whether or not the social media can be monitored so that events can be nipped in the bud.
- Darryl Bedford, OPSEU President – advising that many students are affected and the reputation of the College is on the line.
- Michael Dee – advising that he is an area resident and landlord; advising that he agrees with instituting a code of conduct; indicating that a damage deposit is another tool used in other communities; and it may help the landlord to improve tenant accountability.
- Joanna Markum – advising that Fanshawe opens up their green space and parking lots to host large parties.
- Meredith Fontaine – enquiring as to how often the Police are called onto campus for party issues; advising that students don't belong in residential family homes; indicating that there was no police presence from 8:30 a.m. to 4:30 p.m., the following day; and indicating that this issue has been discussed for 15 years.
- Ted Williams – expressing support for this proactive step; advising that the problems on Fleming Drive are Fanshawe College's responsibility; indicating that Fanshawe should be held responsible for student behaviour and advising that it is the cost of doing business.
- Sandra Boerson – indicating that this is reactive; indicating that this only deals with a small part of the problem; advising that being connected and encouraging engagement doesn't help; advising that the party should have been stopped at 200 people; advising that a mattress was burnt near the University of Western Ontario on the same night; advising that there are not enough police; advising that codes of conduct do make a difference and the students get the message that no one cares.
- Irvine – advising that he lives north of Cheapside Street; indicating that a majority of the students are fabulous; enquiring as to whether or not there is a law limiting rental properties, how many students are allowed in each house, the fire regulations, and parking for cars; and advising that rental property is a business venture in a residential area.
- Cynthia Eldridge, Second St – spoke to the need to provide positive role models for the students through the use of community organizations.
- Barb Louanny – advising she was originally informed that this area was zoned as single-family homes but recently was advised that it is no longer zoned for single-family residences and enquiring as to what has changed.
- Shirley Williams - indicating support for the by-law and concerns for resale value of homes in the neighbourhood and enquiring whether steps are in place for the May 24th weekend.

Motion made by Councillor J.P. Bryant and seconded by Councillor J.B. Swan to Amend clause 2, to add a new part g) as follows:

- g) the London Police Services Board **BE REQUESTED** to ask the Chief of Police to submit a report to the Public Safety Committee, after each occasion where, if adopted, this by-law is utilized, providing information on why the by-law was utilized; if the situation in question was extraordinary; what occurred; and, in retrospect, if the by-law was necessary to address the situation.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant (14)

The motion to adopt clause 1 and clause 2, as amended, is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant (14)

IX DEFERRED MATTERS

None.

X ENQUIRIES

Motion made by Councillor N. Branscombe and seconded by Councillor W.J. Armstrong to reconsider the Minutes of the Sixth Meeting Held on March 20 and 21, 2012 as it relates to clause 20 of the 6th Report of the Planning and Environment Committee.

Motion Passed

Motion made by Councillor N. Branscombe, seconded by Councillor W.J. Armstrong, to Amend the Minutes of the Sixth Meeting Held on March 20 and 21, 2012 in paragraph 7 of Page 28 so that part d) of clause 20 of the 6th Report of the Planning and Environment Committee would read "d) the Approval Authority **BE REQUESTED** to prohibit access to Huron Street;".

Motion Passed

XI EMERGENT MOTIONS

Motion made by Councillor S. Orser and seconded by Councillor J.B. Swan, to Approve that pursuant to section 18.2 of the Council Procedure By-law leave be given for the introduction of an emergent motion with respect to Council Indemnification.

Motion made by Councillor D. Henderson, seconded by Councillor J.B. Swan, that each Council Member involved in the current Ombudsman's investigation into an alleged meeting at a local restaurant **BE INDEMNIFIED** under the Indemnification By-law for Members of Council.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, D.G. Henderson, P. Van Meerbergen, D. Brown (8)

NAYS: J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, H.L. Usher, J.P. Bryant (6)

Motion made by Councillor J.L. Baechler and seconded by Councillor S. Orser to Approve that, pursuant to section 18.2 of the Council Procedure By-law, leave be given for the introduction of an emergent motion with respect to the scheduling of a Special Strategic Priorities and Policy Committee meeting to review the report of the Striking Committee related to appointments to the City's Advisory Committees.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant (14)

Motion made by Councillor D. Brown and seconded by Councillor J.B. Swan to Approve that a Special Meeting of the Strategic Priorities and Policy Committee BE HELD on Wednesday, June 6, 2012 at 4:00 p.m. to consider the Striking Committee's recommendations related to appointments to the Municipal Council's Advisory Committees.

Motion Passed

YEAS: J.F. Fontana, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant (13)

NAYS: B. Polhill (1)

XII BY-LAWS

BY-LAWS TO BE READ A FIRST, SECOND AND THIRD TIME:

Motion made by Councillor D. Brown and seconded by Councillor J.B. Swan to Approve 1st reading of Bill No.'s 135 to 158 and Bill No.'s 160 to 182, and Bill No.'s 186 to 190.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant (14)

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve 2nd reading of Bill No.'s 135 to 158 and Bill No.'s 160 to 182, and Bill No.'s 186 to 190.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant (14)

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve 3rd reading and enactment of Bill No.'s 135 to 158 and Bill No.'s 160 to 182, and Bill No.'s 186 to 190.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant (14)

Bill No. 135, By-law No. A.- A by-law to confirm the proceedings of the Council Meeting held on the 10th day of April, 2012. (City Clerk)

Bill No. 136, By-law No. A.- 6509()- A by-law to amend By-law No. A.-6509-114 entitled, A by-law to establish remuneration for members of Council and appointed citizen members for 2010 and to implement a policy for remuneration commencing January 1, 2011" and to amend Council Policy 5(32) entitled, "Remuneration for Elected Officials and Appointed Citizen Members." (8/10/FASC)

Bill No. 137, By-law No. A.- A by-law levying tax rates for property classes in 2012. (4x/5/SPPC)

Bill No. 138, By-law No. A.- A by-law setting tax ratios for property classes in 2012. (21/10/FASC)

Bill No. 139, By-law No. A.- A by-law to opt to have Section 8.0.2 of Ontario Regulation 73/03 as amended apply within the City of London for the year 2012 to exempt certain properties in the commercial classes, industrial classes and multi-residential property class from the application of Part IX of the Municipal Act, 2001. (21/10/FASC)

Bill No. 140, By-law No. A.- A by-law to establish percentages by which tax decreases are limited for 2012 in respect of properties in any property class

subject to Part IX of the Municipal Act, 2011, as amended, in order to recover all revenues foregone as a result of the application of section 329 and section 329.1 of the Municipal Act, 2001, as amended, to other properties in the property class. (21/10/FASC)

- Bill No. 141, By-law No. A.- A by-law to opt to use certain subsections of section 329.1 of the Municipal Act, 2001, as amended, in the calculation of taxes in the commercial, industrial, and multi-residential property classes. (21/10/FASC)
- Bill No. 142, By-law No. A.- A by-law to amend Council Policy 28(1) entitled, "Travel & Expenses", by deleting and replacing it with a new Council Policy 28(1) entitled, "Travel & Business Expenses" to clarify and update the policy. (5/10/FASC)
- Bill No. 143, By-law No. A.- A by-law to amend Council Policy 28(2) entitled, "Council Members' Expense Account", by deleting and replacing it with a new Council Policy 28(2) to clarify and update the policy. (5/10/FASC)
- Bill No. 144, By-law No. A.- A by-law to raise the amount required for the purposes of The London Downtown Business Association Improvement Area Board of Management for the year 2012 in accordance with section 208 of the Municipal Act, 2001. (9/10/FASC)
- Bill No. 145, By-law No. A.- A by-law to raise the amount required for the purposes of The Old East Village Business Improvement Area Board of Management for the year 2012 in accordance with section 208 of the Municipal Act, 2001. (10/10/FASC)
- Bill No. 146, By-law No. A.- A by-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and Peter Brander Inc., In Trust, for the acquisition of property located at 121 Briscoe Street, and to authorize the Mayor and City Clerk to execute the Agreement. (17/10/FASC)
- Bill No. 147, By-law No. A.- A by-law to approve an amending Agreement for the New Municipal Hazardous or Special Waste Service Agreement regarding funding for the City of London's Household Special Waste Program with Stewardship Ontario; and to authorize the Mayor and Clerk to execute the Amending Agreement. (3/6/CWC)
- Bill No. 148, By-law No. A.- A by-law to amend Council Policy 25(2) entitled, "Land Dedication." (4/6/CWC)
- Bill No. 149, By-law No. A.- A by-law to approve the Funding Agreement with Her Majesty the Queen in Right of Canada, as represented by the Federal Minister of Human Resources and Skills Development for funding under the Homelessness Partnering Strategy; and to authorize the Mayor and the City Clerk to execute the Agreement. (6/5/CSC)
- Bill No. 150, By-law No. A.- A by-law to approve the template Sub-Project Funding Agreement for the Homelessness Partnering Strategy; and to authorize the Executive Director of Community Services to execute the Agreement. (6/5/CSC)
- Bill No. 151, By-law No. A.- A by-law to establish the amended Affordable Housing Reserve Fund. (14/5/CSC)
- Bill No. 152, By-law No. A.- A by-law to approve an amending agreement between The Corporation of the City of London (the City) and Italian Seniors Project (the Proponent) for the purpose of establishing the Canada-Ontario Affordable Housing Program and the City's obligation to provide funding to the Proponent; and to authorize the Mayor and the City Clerk to execute the Agreement. (9/5/CSC)

Bill No. 153, By-law No. A.-	A by-law to approve an amending agreement between The Corporation of the City of London (the City) and SDI Builders Ltd. (the Proponent) for the purpose of establishing the Canada-Ontario Affordable Housing Program and the City's obligation to provide funding to the Proponent; and to authorize the Mayor and the City Clerk to execute the agreement. (8/5/CSC)
Bill No. 154, By-law No. A.-	A by-law to approve an amending agreement between The Corporation of the City of London (the City) and Youth Opportunities Unlimited (the Proponent) for the purpose of establishing the Canada-Ontario Affordable Housing Program and the City's obligation to provide funding to the Proponent; and to authorize the Mayor and the City Clerk to execute the agreement. (10/5/CSC)
Bill No. 155, By-law No. A-42-	A by-law to amend By-law No. A-42 entitled, "A by-law to provide for Various Fees and Charges." (20/10/FASC)
Bill No. 156, By-law No. C.P.-1284(sb)-	A by-law to amend the Official Plan for the City of London, 1989 relating to the southwest portion of the property municipally known as 1285 Western Road on the lands immediately to the west of Brescia Lane, south of Ramsay Road. (22/8/PEC)
Bill No. 157, By-law No. C.P.-1284(sc)-	A by-law to amend the Official Plan for the City of London, 1989 relating to 1602 Sunningdale Road West. (27/8/PEC)
Bill No. 158, By-law No. C.P.-1284(sd)-	A by-law to amend the Section 13 (Heritage Resources) and Section 19 (Implementation) of the Official Plan for the City of London, 1989 to add the Downtown Heritage Conservation District. (26/8/PEC)
Bill No. 160, By-law No. L.S.P.-	A by-law to designate 719-721 Dundas Street to be of historical and contextual value or interest. (35/23/BNEC-2011)
Bill No. 161, By-law No. L.S.P.-	A by-law to designate 5 Paddington Avenue to be of historical and contextual value or interest. (24/23/BNEC-2011)
Bill No. 162, By-law No. L.S.P.-	A by-law to designate 84 Commissioners Road East to be of historical and contextual value or interest. (50/17/BNEC-2011)
Bill No. 163, By-law No. L.S.P.-	A by-law to adopt the Downtown Heritage Conservation District Plan and designate a heritage conservation district known as Downtown. (26/8/PEC)
Bill No. 164, By-law No. PS-111-	A by-law to amend By-law PS-111 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (22/6/CWC)
Bill No. 165, By-law No. PS-111-	A by-law to amend By-law PS-111 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (23/6/CWC)
Bill No. 166, By-law No. PS-111-	A by-law to amend By-law PS-111 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (23/6/CWC)
Bill No. 167, By-law No. S.-	A by-law to assume certain works and services in the City of London. (Cleardale Ravine; Plan No. 33M-604) (Director of Water Engineering and City Engineer)
Bill No. 168, By-law No. S.-	A by-law to rename Headley to Headley Gate, in the City of London. (28/6/CWC)
Bill No. 169, By-law No. S.-	A by-law to rename Cedarpark Drive to Guinness Way in the City of London.) (29/6/CWC)
Bill No. 170, By-	A by-law to lay out, constitute, establish and assume lands in the

law No. S.-	City of London as public highway. (As widening to Hamilton Road, west of Adelaide Street North. (Chief Surveyor)
Bill No. 171, By-law No. S.-	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to Sarnia Road, west of Western Road. (Chief Surveyor)
Bill No. 172, By-law No. S.-	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to Ramsay Road, at Brescia Lane) (Chief Surveyor)
Bill No. 173, By-law No. S.-	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to Sarnia Road, west of Western Road) (Chief Surveyor)
Bill No. 174, By-law No. S.-	A by-law to assume certain works and services in the City of London. (Egelton Woods – Phase 5; Plan No. 33M-521) (Director of Water Engineering and City Engineer)
Bill No. 175, By-law No. S.-	A by-law to assume certain works and services in the City of London. (Sandbar – Phase 1; Plan No. 33M-555) (Director of Water Engineering and City Engineer)
Bill No. 176, By-law No. Z.-1-122091	A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning for the land located at 280 Callaway Drive. (7/8/PEC)
Bill No. 177, By-law No. Z.-1-122092	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning on a portion of the land located at 530 Sunningdale Road East. (11/8/PEC)
Bill No. 178, By-law No. Z.-1-122093	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 844 Wonderland Road South. (17/8/PEC)
Bill No. 179, By-law No. Z.-1-122094	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 681 Highbury Ave North. (18/8/PEC)
Bill No. 180, By-law No. Z.-1-122095	A by-law to amend By-law No. Z.-1 to extend the Temporary Use (T-58) for an area located at 1671 Fanshawe Park Road West. (19/8/PEC)
Bill No. 181, By-law No. Z.-1-122096	A by-law to amend By-law Z.-1 to rezone an area of land located at 1461 Huron Street. (21/8/PEC)
Bill No. 182, By-law No. Z.-1-122097	A by-law to amend By-law No. Z.-1 to rezone an area of land located at the southwest portion of the property municipally known as 1285 Western Road on the land immediately to the west of Brescia Lane, south of Ramsay Road. (22/8/PEC)
Bill No. 186 By-law No. A.-6814-136	A By-law to authorize an Agreement between The Corporation of the City of London and London District Catholic School Board, and to authorize the Mayor and City Clerk to execute the Agreement. (/FASC)
Bill No. 187 By-law No. C.P.-1284(se)-137	A by-law to amend the Official Plan for the City of London, 1989 relating to 160 Southdale Road West. (2/9/PEC)
Bill No. 188 By-law No. L.S.P.-3420-138	A by-law to expropriate lands in the City of London, in the County of Middlesex, for the completion of the Southdale Road West Widening Project between Wharnccliffe Road South and Wonderland Road South. (/)
Bill No. 189 By-law No. Z.-1	A by-law to amend By-law No. Z.-1 to rezone an area of land located 160 Sunningdale Road West. (2/9/PEC)

Bill No. 190
By-law No. Z.-1

A by-law to amend By-law No. Z.-1 to rezone an area of land
located at 1602 Sunningdale Road West. (27-9/PEC)

XIII COMMITTEE OF THE WHOLE, IN CAMERA

MOTION FOR IN CAMERA SESSION

Motion made by Councillor D. Brown and seconded by Councillor J.B. Swan to Approve Motion to Approve that Council rise and go into Committee of the Whole, in camera, for the purpose of considering the following:

- a) A matter pertaining to personal matters about an identifiable individual including employees of the municipality, its boards and commissions, with respect to the London Middlesex Housing Corporation. (CSC)
- b) A matter pertaining to the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition. (FASC)
- c) A matter pertaining to litigation currently before the Ontario Municipal Board, File No. PI030543, AAR-CON enterprises Corporation v. the City of London et al. or potential litigation affecting the municipality and arising out of the; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (FASC)
- d) A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, as it relates to property located on the south side of Exeter Road, west of Wellington Road, consisting of lands with an area of 17 hectares subdivided into 36 lots known as Shamrock Subdivision (Plan 33M-272) and 595 Exeter Road, which currently has two (2) existing commercial buildings located on the premises. (FASC)

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, M. Brown, P. Hubert, D. Brown, H.L. Usher, J.P. Bryant (10)

NAYS: N. Branscombe, P. Van Meerbergen (2)

The Council rises and goes into Committee of the Whole, in camera, at 1:13 AM with Mayor J. Fontana in the Chair and all Members present except Councillor S.E. White.

Councillor B. Polhill leaves the meeting at 1:30 AM.

V. McAlea Major leaves the meeting at 1:35 AM.

The Committee of the Whole rises and Council resumes in public session at 1:45 AM.

6th Report of the Committee of the Whole

Councillor P. Hubert presents.

PRESENT: Mayor J. Fontana, Councillors B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant and C. Saunders (City Clerk).

ALSO PRESENT: T. Dobbie, J. Braam, R.L. Fair, M. Hayward, J.P. Barber, G. Belch, J.M. Fleming, G.T. Hopcroft, J. Logan, V. McAlea Major, D. Mounteer, L.M. Rowe, B. Warner and B. Westlake-Power.

1. That, as a procedural matter pursuant to Section 239 (6) of the *Municipal Act, 2001*, the following recommendation be forwarded to City Council for deliberation and a vote in public session:

That, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager, Realty Services, with respect to the vacant property owned by Southside Construction Management Limited, municipally known as 1391 Adelaide Street North, the following actions be taken:

- a) the offer submitted by Southside Construction Management Limited ("Southside") to sell to the City land municipally known as 1391 Adelaide Street North, located on the west side of Adelaide Street North, north of Windermere Road, further described as Part of Lot 6, Plan 771 and Part Lot 13, Concession 4, (Geographic Township of London), containing an area of approximately 19 acres, for the sum of \$710,000.00, **BE ACCEPTED SUBJECT TO** the following conditions:
 - i) the City agreeing to pay a further sum of \$140,000.00 plus HST for a part of Southside's verified holding costs incurred over the period since its acquisition in 2006;
 - ii) the City agreeing to accept the property on an "as is" basis; and
- b) the source of financing for this acquisition **BE APPROVED** as set out in the Source of Financing Report attached hereto as Appendix "B".

Motion Passed

BY-LAWS TO BE READ A FIRST, SECOND AND THIRD TIME (continued):

Motion made by Councillor P. Hubert and seconded by Councillor J.L. Baechler to Approve leave for the introduction of Bill No. 184.

Motion Passed

Motion made by Councillor P. Hubert and seconded by Councillor J.L. Baechler to Approve 1st reading of Bill No. 184.

Motion Passed

Motion made by Councillor P. Hubert and seconded by Councillor D. Brown to Approve 2nd reading of Bill No. 184.

Motion Passed

Motion made by Councillor P. Hubert and seconded by Councillor S. Orser to Approve 3rd reading and enactment of Bill No. 184 and Bill No.'s 186 to 190, inclusive.

Motion Passed

Bill No. 184 By-law No. A.-6812- 134	A by-law to accept the offer submitted by Southside Construction Management to sell to the City the property located at 1391 Adelaide Street North, and to authorize the Mayor and City Clerk to execute the Agreement of Purchase and Sale. (/FASC)
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11th Report of the Finance and Administrative Services Committee
(continued)

The motion made by Councillor P. Van Meerbergen and seconded by Councillor D. Henderson that clause 4 be referred back to staff to discuss options, based upon potential interest in the site is put.

Motion Failed

YEAS: D.G. Henderson, P. Van Meerbergen (2)

NAYS: J.F. Fontana, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D. Brown, H.L. Usher, J.L. Bryant (11)

Motion made by Councillor J.L. Baechler, seconded by Councillor J.B. Swan, that clause 4 be Amended so that section 3.03 of the agreement appended to the proposed by-law reads as follows:

This Agreement shall be effective for a term of Two (2) years from the date of execution and shall be complete and at an end upon the expiry of the term without any further opportunity for an extension. If at any time prior to the date of termination in this section the Owner has not commenced or is not diligently undertaking the required site remediation, then this Agreement shall be at an end and neither party shall be liable to the other for any costs or damages.

Motion Passed

The motion made by Councillor P. Hubert and seconded by Councillor D. Brown to Amend clause 4 to read as follows, subject to the amendment passed above, is put:

That, on the recommendation of the City Treasurer, Chief Financial Officer, the following actions be taken with respect to property located on the south side of Exeter Road, west of Wellington Road, consisting of an area of 17 hectares subdivided into 34 roll numbers, known as Shamrock Subdivision (Plan 33M-272), and 595 Exeter Road, which currently has two (2) existing commercial buildings located on the premises:

- a) **NO ACTION BE TAKEN** to proceed with a third tax sale or vest the subject lands after any such tax sale at this time; and
- b) the attached revised proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting on April 10, 2012 to approve an agreement substantially in the form attached as Schedule 1 to the by-law and to the satisfaction of the City Solicitor, and to authorize the Mayor and the City Clerk to execute the Agreement.

Motion Passed

The motion to adopt clause 4, as amended, is put.

Motion Passed

BY-LAWS TO BE READ A FIRST, SECOND AND THIRD TIME (continued):

Motion made by Councillor J.B. Swan and seconded by Councillor S. Orser to Approve leave for the introduction of Bill No. 185.

Motion Passed

Motion made by Councillor D. Brown and seconded by Councillor P. Hubert to Approve 1st reading of Bill No. 185.

Motion Passed

Motion made by Councillor H.L. Usher and seconded by Councillor S. Orser, to Approve 2nd reading of Bill No. 185.

Motion Passed

Motion made by Councillor D. Brown and seconded by Councillor J. Swan to Approve 3rd reading and enactment of Bill No. 185.

Motion Passed

Bill No. 185 A by-law to approve an Agreement between The Corporation of the
By-law No. A.-6813- City of London and Samuel John Shirley and to authorize the Mayor
135 and the City Clerk to execute the Agreement. (4/11/FASC)

XIV ADJOURNMENT

Motion made by Councillor P. Van Meerbergen, seconded by Councillor H.L. Usher to Adjourn.

Motion Passed

The Meeting adjourned at 2:00 AM.

Joe Fontana, Mayor

Catharine Saunders, City Clerk